Previous

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Previous References (mar) Serial Nos. 1 - 2

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Later References
me 104-28 85 124
RA 26-32 u 14 f 15, BF 667 G 33

General and Revenue Secretariat.

Serial Nos

Part B for March 27

SUBJECT

Revision of the Calq and Down Municipal Election Rules

2 To The Compiler, Upper Gazette No L 64357 d 16 3 27
Notifies the revn of the Election Rules referred above

JHS 18/5/27

WD 01226—GPB—37,500—1-9-26
App. F III—2]

General and Revenue Secretariat | File No | of 192

Serial No.

Revision of the City and Town Municipal Election Rules

By Regulation IV of 1926, Section 12 (c) of the Mysore Municipal Regulation was amended so that instead of actual payment of taxes mere assessment of a minimum amount to be fixed by Govt was made a qualification for a person to be qualified as a candidate and to be entered in the list of voters This Section is not made applicable to Minor Municipalities and it is in force only in the City and Town Municipalities The maximum amount of the tax referred to in the Section has been prescribed in the Municipal Election Rules Section 11 (c) of the Regulation empowers Govt to frame rules regarding the qualifications of candidates and of voters other than as provided in the Regulation The rules prescribing the minimum amount of taxes for being a candidate and or voter are, therefore, ultra vires. The issue of a Notification for this purpose being necessary a draft Notification is submitted for approval.

There are two sets of rules governing elections in Municipalities viz, City Municipal Election rules and Town Municipal Election rules, besides the Minor Municipal Election rules The City and Town election rules are practically identical and differ from each other in only a very few respects In the Bombay Presidency the Govt have issued a set of model election rules which appear to be suitable for our City and Town Municipalities

Note: Contd Sheet

WD 0122—CPB—37,500—1926

General and Revenue Secretariat

File No of 192

Serial No

3) A draft set of rules based practically on the Bombay Model Election rules with a few changes here and there to meet the special requirements the Municipalities in Mysore is submitted for -- approval or other orders

4) The main changes introduced in the new draft rules proposed are the following -

(1) ules regarding enfranchisement of Sec ns of inhabitan's, associations and public bodies -- have been deleted They are unnecessary as it is only in the Bangalore city that a public body viz , the Chamaber of Commerce is allowed to elect a member on the Bangalore city Municipal Coun It would simplify matters if the member re by the Chamber is treated as a nominated Council

2 Preparation of a separate list of perso qualified as candidates is dispensed with as it is not required under the Regulation The un - cipal Election Roll alone is prescribed under the em

(3) Where the number of eligible candidates does not exceed the number of seats to be filled up no poll need be held Under the old rules it was necessary that before a candidate was -- announced as duly elected, he should have secured at least one-eighth of the votes of the total number of persons entitled to vote The new rules provide that the candidate who secures the highest number of votes should be declared - as elected

(4) The form of voting paper has been so as to be identical with that used in th

WD 01286—GPB—37,500—1-9-26

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GENERAL & REVENUE SECRETARIAT General No. 24 FEB 1927

Presidency The revised form now prescribed -- corresponds practically with that used for District Board elections. The voter is required to simply put a cross against the candidates for whom he -- wishes to vote instead of being required to strike out the names of the candidates for whom he does not wish to vote. Provision has also been made for printing on the voting paper the symbols, if any, -- which a candidate may adopt, provided the candidate supplies the President at his own expense with a block depicting such symbol

16/2/27

Ch Sec)

22/2

Sec
Mem
Mem

Sec Ch Sec directed
that this may be sent on
to Sec Govt for approval

(S S).

22/2

I have gone through the rules and have made a few suggestions. They are also of a minor character & appear to be necessary.

Rule 7(6) seems to require Govt's approval. I do not know if it has been considered already. If so, the rule may stand as it is. But if it has not been decided, it seems to me that the

Vide SS Please see file

Note- Contn.Sheet

WD 0122—G I B 3/100—1 9 26

[Form F III—2]

General and Revenue Secretariat

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Serial No

OFFICE.
Received on
9- MAR. 1927
No. 6000

afarlan

provision contained in 7 (6) shd be modified. According to our present system the Voters of say Basalwanguri vote only for the Basalwanguri candidate for Chairmanship & the Chairmanship candidate of them if possessing the qualifications necessary to be a Voter in Basalwanguri Chairmanship, why should he be debarred from voting in the places. Small practical purposes he shd be considered as having two persons & permitted to record two votes — one at Basavanpur & one at C Rpts

Just mention
Mr. Chitnis —

1. The Rules in question were framed, repeating as existing rule 6 of our and city election Rules and is identical with Rule 8 of Bombay Model Rules. I mean it calls for no change

RB 25/2

RB 28/2

I agree with Chief Secy

Please do so

RB 1/3

For revised Govt Order

RB 1/3

Dewan

RB 3/3

9021/28/2

RB 5/3

RB 10/3

NOTE Contn fect

WD 0.229—GPB—37 500—1 9 26
App F III—2]

General and Revenue Secretariat

File No

of 192

Serial No	
1	G Notfn No L 6434 dd 15 & 27 from the Chief Secretary, Mysore Gazette Notifying that the Maximum amount of taxes, the assessment to which will qualify persons to be entered in the list of voters a Re 5/- a year in the case of City Municipalities and Re 2/- in the case of Town Municipalities
2	G Notfn No L 6435 dd 15 & 27 from the Chief Secretary, Mysore Gazette Notifying Rules for the Election of Municipal Councillors and regulating the Conduct of Elections in City & Town Municipalities.

GENERAL & REVENUE SECRETARIAT
24 MAR 1927
18 APR 1927

NOTE—Contn Sheet

WD 0129—GPB—67690

NOTIFICATOIN

No L 1911—L B 25-26-2, Dated Bangalore 21st August 1926

In supersession of the rules in force on the subject and in exercise of the powers conferred by Sections 7 8 13 and 100 (2) (*b*) of the Mysore District Boards Regulation and all other powers in this behalf the following rules for regulating the election of members to District Boards are made by the Government

1 *General Constituencies* —(1) Every Revenue Taluk and Sub Taluk (excluding Municipalities and the area under the control of the Sanitary Board Kolar Gold Fields) in a District shall form a separate general constituency and shall be described by the name of the Taluk or Sub Taluk concerned The electorate in every general constituency of a Sub Taluk will elect one member to the District Board and in that of every Taluk two members provided that in each of the constituencies noted below three members will be elected to the District Board —

1	Bangalore	12	Arsikere
2	Kolar	13	Manjarabad
3	Goribidnur	14	Channarayapatna
4	Tumkur	15	Shimoga.
5	Gubbi	16	Sagar
6	Maddagiri	17	Sorab
7	Mysore	18	Thirthahalli
8	Seringapatam	19	Chickmagalur
9	Hunsur	20	Kadur
10	Mandya	21	Koppa
11	Hassan	22	Davangere

(2) Each of the Jaghirs of Yelandur and Sringeri excluding Municipalities shall form a general constituency and will return one member to the District Board

2 *Special Constituencies* —Any association in a District which is registered under the Societies Registration Regulation No III of 1904 and is also enfranchised by the Government on the recommendation of the Deputy Commissioner for representing the following interests viz Inamdars Planters Agriculturists or Industries Commerce Education Law or such other interests as are approved by Government shall form a special constituency

3 Each special constituency may elect a member to the District Board provided that the total number of members elected by special constituencies shall not exceed one-fourth of the total number of elected members of the Board

4 *Enfranchisement of associations* - No association will be enfranchised that does not fulfil the following conditions but an association will not become entitled to be enfranchisd solely by reason of fulfilling the conditions —

(a) The association must have been formed for the furtherance of any of the interests stated in rule 2 and it must be an active one doing substantial work to promote such interest

(*b*) The number of members on the roll of the association shall not be less than one hundred provided that the Government may for special reasons allow an association containing less than one hundred members to elect a member to the District Board

(c) Applications for enfranchisement shall be submitted to Government through the Deputy Commissioner at least four months before the commencement of the term of the District Board and shall be accompanied by a copy of the rules or by laws and the following particulars —

(i) Object of the association
(ii) A list of members with the particulars required under rule 7
(iii) Income from membership and other sources
(iv) The assets of the association

5 The franchise given to an association shall expire at the end of the term of the District Board and the privilege of representation shall be liable to be revoked if the association ceases to exist or infringes any of the conditions specified in rule 4

6 *Qualifications of voters in special constituencies* —Subject to the provisions of sections 9 and 10 of the Regulation every member of an association enfranchised by the Government shall be qualified to vote at an election of a member by the constituency to the District Board

7 *List of voters* —A list of voters for every constituency containing the following particulars shall be prepared by the Amildar or Deputy Amildar in the case of a general constituency and by the Secretary to the association in the case of a special constituency and shall be submitted to the Deputy Commissioner —

1 Polling station
2 Hobli
3 Village
4 Serial number
5 Name
6 Father's name
7 Age
8 Occupation
9 Qualification as a voter
10 Whether qualified to be a candidate
11 Remarks

8 *Publication of list* —(1) A copy of the list in Kannada after being approved by the Deputy Commissioner shall be affixed in some conspicuous place in the office of the Amildar or the Deputy Amildar in the case of a general constituency three months before the date fixed for a general election of member to the District Board under sub section (1) of Section 13 of the Regulation

(2) The list of voters of a special constituency shall be published in the office of the Secretary to the association two months before the date of election

9 *Objections and claims* —Within a period of two weeks after the publication of the list of voters of a general constituency and one week in the case of a special constituency any person may apply in writing to the Deputy Commissioner claiming that his name be included in the list and any person whose name is included in the list may apply in writing to the Deputy Commissioner objecting to the inclusion of his name or of the name of any other person in the list

10 *Disposal of objection and claims* —An enquiry into such claim or objection will be made by the Deputy Commissioner personally or by some other officer deputed by him not below the grade of an Assistant Commissioner who will pass an order in writing rejecting or admitting the claim or objection as the case may be The order of the Deputy Commissioner shall be final

11 *Revision of list* —The list shall be amended in accordance with the orders if any passed under rule 10 and the Deputy Commissioner may also cause any erroneous entries in the list to be corrected provided that the name of any person shall not be removed from the list without an opportunity being given to hear him

12 *Publication of the revised list* — The revised list shall be published in the manner prescribed in rule 8 at least six weeks before the date of the general election

13 *Polling stations* —The Deputy Commissioner shall divide every general constituency into as many polling areas as may be necessary He shall fix a polling station for each such area and for each special constituency The polling station for each voter shall be stated in the list prepared under rule 7 and no person shall be permitted to vote at any polling station except the one allotted to him

14. *Date of election* — When the election is for the constitution or reconstitution of a District Board the date of election shall be at least one month before the date of the commencement of its term

15 *Publication of date place etc of election* – At least six weeks before the date fixed for election the Deputy Commissioner shall publish in English and Kannada in the Mysore Gazette a notice containing the following particulars —

1 The place date and hour of election

2 The latest date for the receipt of applications for candidature

A copy of such notice shall be posted up in some conspicuous spot in the offices of the Deputy Commissioner the President of the District Board and the Amildar or the Deputy Amildar and of the Secretary to the association concerned in the case of special constituencies and it may also be published in such other manner as the Deputy Commissioner may deem fit

16 *Intimation of candidature* – Within a week of the publication of the revised list under rule 12 every candidate shall intimate to the Deputy Commissioner in writing the constituency in which he intends to stand for election

17 *Publication of list of candidates* —(1) The Deputy Commissioner shall cause a list of the names of the eligible candidates to be published in English and Kannada under his signature not less than one month before the date of the election in the offices of the Deputy Commissioner the President of the District Board the Amildar or the Deputy Amildar as the case may be and also of the Secretary to the association concerned in the case of a special constituency

(2) The Deputy Commissioner shall assign to each such candidate a symbol which shall be published with the list referred to in sub rule (1)

18 *Withdrawal of candidature* – Any person whose name is included in the list of candidates published under rule 17 may withdraw his candidature by notice in writing signed by himself and delivered to the Polling Officer and every withdrawal shall be notified by the Polling Officer at the polling station and the name of such candidate shall be removed from the ballot paper When such withdrawal has the effect of leaving the election non contested the Polling Officer shall close the poll and report the fact to the Deputy Commissioner

19 *Omission of names of candidates in cases of death* – If a person whose candidature has been published under rule 17 dies before the poll has commenced the Polling Officer on being satisfied of the fact of death shall remove the name of such candidate from the ballot paper

20 *Display of list of candidates* —On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at the polling station for the information of the voters.

21 *Polling Officer* —The polling shall be conducted in the case of a general constituency by the Amildar or the Deputy Amildar or an officer appointed by the Deputy Commissioner in this behalf and in the case of a special constituency by such person as may be appointed in this behalf by the Deputy Commissioner

22 *Assistance to the Polling Officer* —The Deputy Commissioner shall also nominate one or two non officials who are not interested in the candidates as associates with the Polling Officer for assisting him in conducting the poll The Patel and the Shanbhog of each village in the polling area in which the election is held, shall unless prevented by sickness or other reasonable cause be present at the polling station during the election from the beginning to the end thereof and render the Polling Officer such assistance as he may require in conducting it

23 *Voters to attend polling station* —There shall be no voting by proxy and every voter desirous of recording his vote shall attend personally at the polling station at which he is entitled to vote on the date appointed for the election and between such hours as may have been fixed by the Deputy Commissioner under rule 15

24 *Identity of voters* —When a voter presents himself at the Polling station the Polling Officer shall satisfy himself as to the identity of such person and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction When the Polling Officer is satisfied as to the identity of the voter he shall give the voter his voting paper

25 *Form of voting paper*.—The voting paper shall be in the following form —

VOTING PAPER

Counterfoil
Serial No

Outerfoil
(Front)

District Board of ..... Constituency .....

Name of constituency	Name of candidate	Symbol (Pictures and not words to be printed)	Cross X
Name of polling station			
Serial number of voter in the list	1		
	2		
	3		
	4		
	5		
Signature or thumb impression			

(Back of counterfoil)

(1) The number of members to be elected is .....

(2) Place a cross mark thus X against the symbol of each candidate for whom you wish to vote.

(3) The mark should be placed against not more than ..... names.

26 *Procedure to be followed in taking ballot*.—No voter shall be allowed to vote who does not arrive at the polling station before the closing time appointed for the election and all voters who arrive at the polling station before such time shall be entitled to have their voting paper and record their vote even though such recording shall not be completed before the closing time.

27 (*a*) The voter shall proceed to a place screened from observation which shall be provided by the Polling officer and there mark his vote on the voting paper in accordance with the instructions contained therein.

(*b*) The instructions which will be furnished should be clearly explained to any voter requiring such explanation.

(*c*) If a voter is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote the Polling Officer shall assist him if so desired in marking the vote on the voting paper and a record of the same shall be made on the voting paper and attested by the Polling Officer.

(*d*) The ballot box shall be so constructed that the voting paper can be introduced but not extracted without the box being unlocked. It shall be shown empty to such persons as are present at the polling station before the voting commences and shall then be securely locked and sealed by the Polling Officer with his seal.

(*e*) The voting paper should be folded and closed and put into the ballot box by the voter himself.

(*f*) Votes should be received with absolute secrecy and no person who is not entitled to vote shall be admitted near the voting table and persons who have voted shall leave the place immediately.

(*g*) (1) The candidates or their authorised agents shall not speak to or address any intending voter in the room but may only address the Polling Officer who is entitled to object to any of the following matters —

(*a*) that the name of the alleged voter is not the name of any person entitled to vote at the election;

(*b*) that the alleged voter is not the person he represents himself to be.

(c) that he has already voted

(2) Any person breaking this rule may be expelled from the ante room by the Polling Officer and shall not be readmitted during the election

(*h*) After the lose of the poll in the case of a special constituency the polling officer shall forth with have the voting papers scrutinised and the votes counted and announce the results

(*i*) In the case of a general constituency the Polling Officer shall after the close of the poll hav the box covered and sealed with his own seal as well as those of such of the candidates if any as may wish to do so and arrange for its safe despatch to the Taluk or Sub Taluk Headquarters The box shall be opened by the Amildar or the Deputy Amildar in a place to which the candidates shall have access at the Taluk office on the same day if the box is received before 5 P M and on the following day after 11 A M if the box is received later than 5 P M and the votes shall then be scrutinised in the presence of the candidates that are present at the time

(*j*) The Valid votes shall be counted by such persons other than the candidate as may be appointed by the Amildar Deputy Amildar or the Polling Officer as the case may be in this behalf provided that (1) any vote which is not recorded in accordance with the foregoing instruction shall be declared invalid (2) vote given in favour of any person who s name is not included in the list of candidate displayed under rule 20 shall not be counted (3) any voting paper which is not duly marked or on which votes are given to more candidates than there are members to be elected shall be invalid (4) if there are more marks than one against any candidate they shall count as only one and (5) if the mark or any one of the marks is so placed as to render it doubtful to which candidate such mark is intended to apply the vote concerned but not the whole voting paper shall be invalied

28 *Result of ballot and its announcement* —When the counting ofthe votes has been completed the result shall forthwith be announced The candidate or candidates securing the highest number of votes shall be declared to be elected in all cases (falling under sub section (4) of section 3 of the Regulation) where two or more candidates have secured an equal number of highest votes the result shall be determined by lot in such manner as the Polling Officer or the Amildar or the Deputy Amildar deems fit The result of the ballot shall be reported with the least possible delay to the Deputy Commissioner

29 *Publication of results of election* —The Deputy Commissioner shall cause a list of the names of the successful candidates at all elections in the District to be published in his office in the office of the District Board and in the office of the Amildar or Deputy Amildar and also in the case of special constituencies in the office of the association concerned

30 *Multiple elections* —In the event of any person being elected for two or more constituencies such person shall be at liberty to choose the constituency which he will represent and intimate the same to the Deputy Commissioner within 3 days after the date of the publication of the results under rule 29 and in default of his doing so he shall represent such of the constituencies in the District as the Deputy Commissioner shall determine In the other constituency or constituencies the result of the election shall be determined as if no votes had been recorded for him and the candidate securing the next highest number of votes shall be declared elected

31 *Report of results of election to Government* —The final result of every election to the District Board shall be reported to the Government by the Deputy Commissioner along with his recommendations for filling up the required number of places by nomination or appointment under Section 6 and 13of the Regulation respectively

32 *Custody and destruction of voting papers* — (1) When the voting papers have been scrutinised and counted they shall be replaced in the ballot box from which they were taken and the Deputy Commissioner shall cause the box after being locked and sealed to be kept in the respective taluk treasuries in safe custody for a period of 3 months from the date of the publication of the result of the election under rule 29 The voting papers shall then be destroyed unless an application regarding the election is made to the District Judge under Section 14 of the Regulation

(2) On receipt from any person of a written intimation that he has made an application regarding the election as to result the Deputy Commissioner shall cause the voting papers to be kept pending the final disposal of the application and in such event the ballot boxes and the voting papers shall until opened and their contents shall not be inspected or produced except under the orders of a competent court

33 *Bye elections*—Whenever a District Board elected by a special constituency falls vacant through the contesting to be a member of the enfranchised location and his seat shall be deemed to be vacant When any vacancy which has to be filled up by the election other than by a general or special constituency the Deputy Commissioner shall fix as soon as conveniently may be a date for the holding of an election to fill the vacancy Persons who became entered in the list of voters published under rule 1 unless disqualified in the meantime shall alone be entitled to vote at such a by election and the foregoing rules shall apply so far as may be to such a bye election

By Order

B NAGAIPA

Secretary to Government
Judicial and Legislative Departments

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ELECTION RULES OF TOWN MUNICIPAL COUNCILS

No 8298—Ml 130 18 1 dated 7th January 1919

In exercise of the powers conferred by Section 11 (c) of the Mysore Municipal Regulation No VII of 1906 and in supersession of the existing Rules on the subject the Government of His Highness the Maharaja of Mysore are pleased to make the following Rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors in every Town Municipality in which the elective system is introduced, and regulating the conduct of such elections

PRELIMINARY

Title these Rules

1 These rules may be cited as the Town Municipal Election Rules 1919

Definitions

2 In these rules (i) a new Municipality means a Municipality newly established by the Government of His Highness the Maharaja of Mysore but of which the first Municipal Councillors have not yet entered upon their office

(ii) the Deputy Commissioner means the Deputy Commissioner of the District in which the Municipality in question is situate and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate, as he is hereby empowered to delegate any of his powers or duties under these rules

(iii) the Regulation means the Mysore Municipal Regulation No VII of 1906 as amended by Regulations Nos IX of 1911 VIII of 1914 VIII of 1915 III of 1916 and V of 1918

DIVISIONS

Dividing of Municipalities into Divisions and apportioning elective Councillors thereto.

3 (i) If the population of a Municipality, as ascertained at the last general census is not less than six thousand, the Deputy Commissioner in the case of a new Municipality and the Municipal Council in every other

case may divide the said Municipality for electoral purposes into two or more divisions, the boundaries of which shall be clearly defined and when such a division has been made shall apportion the number of elective Councillors over the said divisions in the proportion as nearly as may be, which the population or estimated population thereof bears to the population of the entire Municipality

(ii) The divisions into which the existing Town Municipalities are at present divided for electoral purposes, and the number of elective Councillors at present apportioned over the several divisions shall be deemed to have been fixed and apportioned under clause (i)

(iii) The Municipal Council may, from time to time, alter the number and boundaries of the divisions and re apportion the number of elective councillors among the divisions provided that except with the sanction of the Government no such alteration or re apportionment shall take effect within six months from the date on which it is made and that every such re apportionment be made in the proportion aforesaid

Elect on by section of inhabitant

4 (1) If in any division of a Municipality divided for electoral purposes into divisions under the foregoing rule not less than 50 per cent and in a Municipality not so divided not less than 25 per cent of the total number of persons eligible to vote belong to anyone section of the inhabitants then such voters may apply to Government provided that the application is made by not less than three fourths of their total number for permission to elect one or more members of such section and the Government may thereupon pass such orders as they deem fit

Election by recognised public body or association

(2) If in any Municipality there is any recognised public body or association such body or association may apply to Government by a resolution passed by not less than three fourths of the total number of members of such body or association for separate representation on the Municipal Council by election from among themselves provided that the strength of such body or association has not been less than 100 for a period of six months next prior to the date of such resolution and that not less than three fourths of the members are entitled to have their names entered in the list of voters and the Government may thereupon pass such orders as they deem fit

QUALIFICATIONS OF VOTERS AND CANDIDATES

5 Unless disqualified under Section 21 of the Regulation by being less than 21 years of age all persons who are of sound mind and who are not deafmutes and who are subjects of Mysore or of any other State in India and all British subjects qualified as voters under Section 12 (*a*) and (*b*) of the Regulation and the following persons of the male sex shall be entitled to have their names entered in the list of voters *viz* —

(i) First and second grade pleaders holding Sanads from the Chief Court of Mysore
(ii) Persons upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore
(iii) Hereditary patels and shanbhags actually doing the duties of their offices in regard to the collection of Land Revenue but not engaged in the collection of taxes for the Municipal Council
(iv) Persons in receipt of pension of not less than Rs 15 per mensem from Government or from any public body or corporation or company registered aforesaid and
(v) Registered Land holders whose holding are assessed (or in the case of alienated land would be assessed if they were not alienated) to the land revenue at an amount not less than Rs 2 8 0

} Who have been residents of the Municipality for not less than six consecutive months prior to the date of the publication of the list of voters

previous income tax

(vi) (*a*) Persons who have paid for a period of not less than six months next prior to the date of the publication of the list of voters Municipal taxes other than octroi or toll of an amount not less than rupee 1

(*b*) Persons who have been during the period aforesaid the occupiers as owners mortgagees or tenant of buildings on account of which there has been paid for such period a tax of not less than the amount fixed under the above para

(vii) In the case of a new Municipality—

(*a*) persons holding immovable property within the Municipality valued by the Deputy Commissioner or such Officer as he appoints in this behalf at Rs 250 or more
(*b*) persons who have paid in respect of the year immediately preceding the election mohatarfa tax of an amount not less than Rs 4 and
(*c*) persons who have been residents of the Municipality for not less than six consecutive months next prior to the date of publication of the list of voters and who have paid to Government or to an Inamdar for the last revenue year previous to the said date on account of land revenue or of rent of land a sum of Rs 30 or more

*Inserted by Notification No R 9066—Ml 167 19 3 dated 10th February 1920

and (c) Persons who have been residents of the Municipality[1*] and assessed in the previous year to income tax
Circular No 2 5421 of 14-21-0 of 1 4 22

Provided that—

(*a*) when any qualification prescribed by this rule is possessed by an undivided family or any association or body of individuals, other than a company or firm or any trustees, being two or more in number of any building or land any one individual person duly authorised in this behalf by the members of such family association or body or by such trustees and when such qualification is possessed by any company or firm the resident member manager or agent thereof shall unless he is disqualified under Section 21 of the Regulation on account of being less than 21 years of age be entitled to have his name entered in the list of voters on behalf of such family or association or body or trustees or company or firm

(*b*) If any person whose name is entered in the said list under proviso (*a*) possesses on his own separate account any qualification prescribed as aforesaid he shall be entitled to have his name entered in the said list separately on his own account

(*c*) except in the case mentioned in proviso (*b*) no person shall be entitled to more than one vote although he be qualified under two or more of the tests of qualification prescribed by this rule or by Section 12 of the Regulation

Voter entitled to vote in one division only

6 When a Municipality is divided for electoral purposes into divisions each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from the payment of Municipal taxes, in the division in which his liability to pay the same occurs

Provided that—

(*a*) no person shall be entitled to vote in more than one division

(*b*) any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and failing his doing so within a week after public notice has been given

L 5721—M 117 21 11, *ted 1st April 1919.*

Rule 5 of the Election Rules of Town M
No 8298—M 130 18-1, dated 7th January 1919

pal Councils issued under N
hall be amended as follows —

1 A new clause shall be inserted as clau
clauses (vi) and (vii) being changed to (vii) and
(vi) Persons assessed in the previous ye

(VI) as shown hereunder the existing
i) respectively —
o income tax

2 An additional sub clause (*d*) to the old
shall be added as shown hereunder —

use (vii) which now becomes clause (viii)

(*d*) Persons who have been residents
previous year to income tax

the Municipality and assessed in the

Rule 7 (i) (*b*) issued under the same notification shall be amended as follows —
Persons mentioned in paras (i) (iii) and (vi) of Rule 5 *supra*

By Order
C VENKATA RAO
Secretary to Government
Revenue Department

calling upon all such persons to make their choice, shall be entitled to vote in such division as the Municipal Council or in the case of a new Municipality the Deputy Commissioner shall determine

What persons may be candidates at a Municipal election

7 (1) Voters of the classes described below shall, unless illiterate or disqualified under Section 15 of the Regulation be qualified to be candidates for Municipal Councillorship at such election —

(*a*) persons mentioned in Section 12 (*a*) and (*b*) of the Regulation

(*b*) persons mentioned in paras (i) (ii) and (iii) of Rule 5 *supra*

(*c*) pensioners of the kind described in para (iv) of Rule 5 *supra* provided that their pension is not less than Rs 15

(*d*) Registered landholders whose holdings are assessed (or in the case of alienated lands would be assessed if they were not alienated) to the land revenue at an amount not less than Rs 5

(*e*) (1) persons paying Municipal taxes of amounts not less than Rs 2 8 0

(2) persons who have been the occupiers as owners mortgagees or tenants of buildings on account of which there has been paid a tax of not less than the amount fixed under the above sub para and

(*f*) in the case of new Municipalities (i) all persons mentioned in (*a*) (*b*) and (*c*) (ii) persons owning immovable property valued at not less than Rs 600 (iii) persons who have paid in respect of the year immediately preceding the election mohtarfa tax of an amount not less than Rs 8 and (iv) persons who have paid a sum not less than Rs 60 as land revenue or rent of land for the last revenue year previous to the publication of the list of voters

(2) If the Municipality has been sub divided for electoral purposes into divisions, any person whose name is entered in the lists of voters as entitled to vote in one division may be a candidate for election either in the division for which his name is so entered or in any other division

List of Voters and Candidates

By whom and when and in what manner and at what period list of voters and candidates to be prepared

8 (i) The Deputy Commissioner shall, from time to time, appoint an officer of the Municipal Council, or, in the case of a new Municipality any person whom he thinks fit, to prepare a list of voters. This list shall also indicate what persons shown therein are eligible to be candidates at elections

(ii) If the Municipality has been divided for electoral purposes into divisions such list shall show the persons entitled to vote in each division separately

(iii) In the case of a Municipality whether a new Municipality or not to which elective Councillors are to be appointed for the first time after these rules come into force the said list shall be prepared as soon as may be after it has been notified by the Government that the Municipal Council shall consist wholly or partly of such Councillors

(iv) Similar new lists shall be prepared every year by an officer of the Municipality as aforesaid

9 Every list prepared under Rule 8 shall be published by affixing a copy thereof in Kannada and in English also if considered necessary by the Deputy Commissioner or by the Municipal Council at the Municipal Office or in the case of a new Municipality at the chavadi and at such other conspicuous place or places within the Municipality as the Municipal Council or in the case of a new Municipality the Deputy Commissioner shall appoint at least two months before the date herein below specified, *viz* :—

(*a*) in the case of an existing Municipality for which a new constitution is for the first time notified by the Government under Section 11 of the Regulation the date fixed by the Government for the commencement of the new constitution of such Municipality

(*b*) in the case of a new Municipality such date as the Deputy Commissioner in his discretion, fixes for the commencement of the terms of office of the first Municipal Councillors and

(*c*) in respect of every list of voters after the first the first day of June or other date the Government may determine by notice to be given in that behalf and to be affixed at the Municipal Office

Revision of lists.

10 (i) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein any person whose name is entered in the said list and who is eligible to be a candidate at election but who is not shown as such therein and any person whose name is entered in the said list who shall think that the name of some other person has been wrongly entered therein as a voter or as a voter and candidate may apply in writing within a fortnight from the date of publication of the list to the officer or other person appointed under Rule 8 to prepare the list for the amendment thereof

(ii) The officer or other person appointed as aforesaid shall forthwith forward every such application with his report thereupon for the decision of the Municipal Council or in the case of a new Municipality, of the Deputy Commissioner

(iii) The officer or other person appointed to prepare the list may also bring to the notice of the Municipal Council or in the case of a new Municipality of the Deputy Commissioner within a fortnight from the date of publication of the list any additions to or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein

(iv) Notice of every application under Sub Section (i) and of every reference under Sub Section (iii) should be given by the Municipal Council or Deputy Commissioner receiving the same to any person affected thereby and the Municipal Council at its next meeting or the Deputy Commissioner on such early date as he may fix in this behalf in the notice shall consider and pass order on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or a reference shall without delay be communicated to each person if any whose name is thereby ordered to be removed from the list of voters or who is declared ineligible to be a candidate at election

(v) An appeal shall lie to the Deputy Commissioner from the decision of a Municipal Council on any such application, or reference but the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision

of the Municipal Council is communicated to the appellant

(vi) Every order passed by the Deputy Commissioner under this rule shall be final.

Publication of additions and corrections in list

11 (i) All additions to and corrections in the list of voters and candidates made under the authority of the Municipal Council or of the Deputy Commissioner on appeal or otherwise shall be published in the manner prescribed in Rule 9 at least fourteen days before the date specified in that rule.

Custody of list

(ii) Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book each page of which shall be sealed with the common seal of the Municipal Council and the said book shall be kept in the Municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book.

Time and Place for Elections

Deputy Commissioner shall fix time and place for elections

12 The dates on which the hours during which, and the places at which Municipal elections shall be held shall be fixed by the Deputy Commissioner by written notice published in English and Kannada not less than fifteen days before the earliest date prescribed in such notice and copies of the notice shall be affixed at the Municipal Office or in the case of a new Municipality at the chavadi and at such other conspicuous place or places within the Municipality as the Municipal Council or in the case of a new Municipality the Deputy Commissioner appoints for this purpose.

Voters at Elections

What person may vote at Municipal election

13 (i) Only those persons shall be entitled to vote at a Municipal election whose names are entered in the revised list of voters and candidates of the Municipality in which such election is held last published before the date of election.

(ii) If the Municipality has been sub-divided for electoral purposes into divisions the said persons shall be entitled to vote only in the division for which their names are respectively entered in the said list.

Nomination of Candidates

Nomination how and by whom to be made

14 (i) Every person who desires or is willing to become a candidate for a Municipal Councillorship and who is shown in the list of voters and candidates as eligible to be a candidate at the election must be nominated in writing for this purpose by two persons entitled to vote at the election for such Municipal Councillorship and the nomination paper must bear an endorsement signed by the nominee signifying his willingness to serve, if he should be elected, and be delivered to the officer appointed by the Deputy Commissioner for this purpose at least ten days before the date fixed for election

(ii) The said officer shall if any nomination paper is prepared and delivered to him in accordance with Sub Section (i) and if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate include the nominee s name in a list of candidates which shall be prepared under his signature and posted up at the Municipal Office or, in the case of a new Municipality at the chavadi or other place the Deputy Commissioner appoints for this purpose and at the place at which the election is to be held and in other conspicuous places at least five days before the date fixed for election

(iii) When a Municipality which has been sub divided for electoral purposes into divisions elections are to be held at or about the same time in two or more divisions one and the same person may be nominated for election in all or in any number of the said divisions

Conduct of Elections

Appointment of Polling officer

15 A Polling officer shall be appointed by the President of the Municipal Council or in the case of a new Municipality, by the Deputy Commissioner to preside at each place at which an election is to be held and to receive votes thereat If possible the Polling officer shall be a person who is acquainted with and therefore able to identify the voters or the greater number of them

For how many and to what persons votes may be given.

16 Every voter may vote for as many candidates as there are Councillors to be elected for the Municipality or division as the case may be A vote for any person whose name is not included in the list of candidates published under Rule 14, shall not be received

Voter to vote in person

17 Voters must vote in person

Voting to be by ballot

18 The votes shall be given by ballot

Description of ballot

19 The ballot of each voter shall consist of an envelope supplied at the Polling Office on the face of which the number of vacancies to be filled and the names of candidates for election whose nominations have been included in the list of candidates under Rule 13 shall be printed or legibly written but the name of any candidate who may have subsequently withdrawn his candidature should be scored out by the President of the Municipal Council or in the case of a new Municipality by the Deputy Commissioner or the Polling officer under the orders of the President or the Deputy Commissioner as the case may be The voter shall write his name and number inside the envelope and hand it over to the Polling officer who shall after seeing that the name and number of the voter are legibly entered close the envelope seal it or sign across the flap and give it to the voter In the case of illiterate voters the Polling officer shall enter their name and number inside the envelope

Procedure in voting

20 (1) The voter shall then go into a private cubicle which shall be provided within the polling booth score out the name or names of the candidates for whom he does not vote returning the name or names of the candidates not exceeding the number of persons to be elected for whom he votes and himself drop without the Polling officer seeing for whom he has voted the envelope into the ballot box

The Polling officer shall carry out any special rules that may be made by the President of the Municipal Council or in the case of a new Municipality by the Deputy Commissioner as he is hereby empowered to make such rules for recording the votes of illiterate persons and also of such as are unable to write

Provision for ballot boxes

(11) The ballot box shall be so constructed that the ballot paper can be introduced but not extracted without the box being unlocked and it shall be securely sealed by the President of the Municipal Council with the Municipal seal or in the case of a new Municipality by the Deputy Commissioner with the Deputy Commissioner's seal The President or the Deputy Commissioner, as the case may be shall certify in writing that the box is empty and hand it over personally to the Polling officer at the Polling Office on the day of election

(iii) One or more boxes so sealed shall be provided by the Municipal Council or, in the case of a new Municipality, by the Deputy Commissioner or such officer as he appoints in this behalf for each place at which votes are to be received The cost of boxes so provided in the case of a new Municipality shall be paid by the said Municipality as soon as may be after its first Councillors come into office

What votes shall be allowed by the Polling-officer

21 No vote shall be received by the Polling-officer from any person who under Rule 13 is not entitled to vote

Polling officer to satisfy himself of identity of persons tendering votes etc

22 The Polling officer shall satisfy himself as to the identity of the persons tendering votes and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction He is also responsible for seeing that the votes shall be recorded with absolute secrecy that no person who is not entitled to vote shall be admitted to the polling booth and that persons who have recorded their votes shall leave the booth immediately

Voting boxes how to be disposed of by Polling officer

23 After the close of the poll the Polling officer shall forthwith forward the box or boxes aforesaid with its seal or their several seals intact to the President of the Municipal Council or to such Municipal Councillor or officer as the President appoints in this behalf or in the case of a new Municipality to the Deputy Commissioner or to such officer as the Deputy Commissioner appoints in this behalf

Determination of Results of Elections

Scrutiny of votes and declaration of results of elections

24 (i) The boxes aforesaid shall be opened in the presence of the Municipal Councillors at a special general meeting convened for this purpose, or in the case of a new Municipality, in the presence of the Deputy Commissioner or of such officer as the Deputy Commissioner appoints in this behalf

(ii) The votes shall then be scrutinized and those that are valid counted by such persons as the meeting or the Deputy Commissioner or other officer aforesaid appoints in this behalf Any ballot paper on which the names of more candidates are retained than there are persons to be elected, shall be invalid

(iii) The results of the election on being ascertained at a special general meeting of the Municipal Councillors shall be declared by the presiding officer of such meeting and shall be recorded in the minutes of the proceedings of the meeting In any other case the result shall be declared by the Deputy Commissioner or, by the officer appointed by him as aforesaid Provided that no candidate shall be considered as elected unless he secures the votes of at least one eighth of the total number of persons entitled to vote

Proceeding when two or more candidates have an equal number of votes to

25 (i) If there is an equal number of votes in favour of each of two or more candidates for one Councillorship the selection of one of such persons shall be made by lot by the presiding officer of the aforesaid meeting in such manner as the meeting shall determine, or, in the case of a new Municipality by the Deputy Commissioner or by the officer appointed by the Deputy Commissioner as aforesaid in such manner as the Deputy Commissioner or the said officer shall determine

(ii) In the event of any person being elected for two or more divisions such person shall be at liberty to choose the division which he will represent and failing his doing so within forty eight hours after the declaration of the result of the election he shall represent such of the said divisions as the Deputy Commissioner shall determine In every other division for which the said person has been returned other than the one which he elects to represent or which it is determined as aforesaid that he shall represent the result of the election shall be determined as if no votes had been recorded for him

CUSTODY AND DESTRUCTION OF VOTING PAPERS

Safe custody of voting papers and Polling officer's memoranda

26 When the voting papers have been scrutinized, they shall be replaced in the box from which they were taken and the box after being locked and sealed with the Municipal seal or in the case of a new Municipality, with the Deputy Commissioner's seal shall be kept by the President of the Municipal Council or, in the case of a new Municipality by or under the direction of the Deputy Commissioner in safe custody for a period of fifteen days from the date of the declaration of the result of election

Eventual destruction of voting papers and Polling officer's memoranda

27 (1) On the expiry of fifteen days from the said date, or if an application regarding the election is made

to the District Judge under Section 22 of the Regulation, and such application is not finally disposed of before the expiry of fifteen days from the said date then whenever such application has been finally disposed of the voting papers shall be destroyed in the presence of such Municipal Councillor or officer as the Municipal Council appoints for this purpose or in the case of a new Municipality in the presence of the Deputy Commissioner or of such officer as the Deputy Commissioner appoints in this behalf

(11) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid the Municipal Councillor or in the case of a new Municipality the Deputy Commissioner, or other officer appointed by him as aforesaid shall cause the voting papers to be kept pending the final disposal of the said application

GAZETTING THE RESULTS OF ELECTION

Publication of results of elections in the *Mysore Gazette*

28 The result of every election declared at a special general meeting under Rule 24 shall be certified by the presiding officer of such meeting to the Deputy Commissioner who shall report the same to the Government for being notified in the *Mysore Gazette* The Deputy Commissioner shall also report to the Government the result of every election declared under the said rule by himself or, by an officer, appointed by him for being published in the said Gazette

Bye elections

29 On a vacancy occurring in a Municipality between two general elections it shall be reported by the President of the Municipal Council to the Deputy Commissioner who shall report it to the Government and the above rules shall apply to such bye elections except Rules 10 and 11 The last revised list of voters and candidates shall be published and persons entered in that list unless disqualified in the meantime shall alone be considered entitled to vote or to be elected Provided that no bye election shall, except with the sanction of the Government, be held later than one month after the vacancy is reported

ELECTION RULES FOR MINOR MUNICIPAL COUNCILS

NOTIFICATION

No 600—Ml 57 18 1 dated 8th July 1918

In exercise of the powers conferred by Section 11 (*c*) of the Mysore Municipal Regulation No VII of 1906, and in supersession of the existing Rules on the subject, the Government of His Highness the Maharaja of Mysore are pleased to make the following Rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors in every Minor Municipality in which the election system is introduced and regulating the conduct of such elections

Preliminary

Title of these rules

1 These rules may be cited as the Election Rules for Minor Municipal Councils 1918

Definitions.

2 In these rules (i) a new Municipality means a Municipality newly established by the Government of His Highness the Maharaja of Mysore but of which the first Municipal Councillors have not yet entered upon their office

(ii) the Deputy Commissioner means the Deputy Commissioner of the District in which the Municipality in question is situate and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate as he is hereby empowered to delegate any of his powers or duties under these rules

(iii) the Regulation means the Mysore Municipal Regulation VII of 1906 as amended by Regulations Nos IX of 1911 VIII of 1914 VIII of 1915 III of 1916 and V of 1918

Qualifications of Voters and Candidates

Qualifications of voters

3 Unless disqualified under Section 21 of the Regulation by being less than 21 years of age, all persons who are of sound mind and who are not deaf mutes and who are subjects of Mysore or of any other State in India and all British Subjects qualified as voters under Section

(a) and (b) of the Regulation and the following persons of the male sex, shall be entitled to have their names entered in the list of voters *viz* —

Who have been residents of the Municipality for not less than six consecutive months next prior to the date of the publication of the list of voters

(i) First and second grade pleaders holding Sannads from the Chief Court of Mysore

(ii) Persons upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore

(iii) Hereditary patels and shanbhogs actually doing the duties of their offices in regard to the collection of land revenue but not engaged in the collection of taxes for the Municipal Council

(iv) Persons in receipt of pensions of not less than Rs 7 per mensem from Government or from any public body or corporation or company registered as aforesaid

(v) Registered landholders whose holdings are Assessed (or in the case of alienated land would be assessed if they were not alienated) to the Land Revenue at an amount not less than Rs 2

(vi) Persons who have obtained a completed Secondary School Leaving Certificate and

(vii) Persons who have passed the Kannada Upper Secondary Examination

(viii) (a) Persons who have paid for a period of not less than six months next prior to the date of the publication of the list of voters Municipal taxes other than octroi or toll of an amount not less than Re 1

(b) Persons who have been during the period aforesaid the occupiers as owners mortgagees or tenants of buildings on account of which there has been paid for such period a tax of not less than the amount fixed under the above para

(ix) In the case of a new Municipality

(a) Persons holding immovable property within the Municipality valued by the Deputy Commissioner or such officer as he appoints in this behalf at Rs 100 or more

(b) Persons who have paid in respect of the year immediately preceding the election mohatarfa tax of an amount not less than Rs 2 and

(c) Persons who have been residents of the Municipality for not less than six consecutive months prior to the date of publication of the list of voters and who have paid to Government or to an Inamdar for the last revenue year previous to the said date on account of land revenue or of rent of land a sum of Rs 10 or more

Provided that —

(a) When any qualification prescribed by this rule is possessed by an undivided family or any association or body of

Inserted by Notification No R 9057—Mi 6 19 2 dated 10th February 1920

Persons who have been residents of the Mulky and assessed in the previous year to income-tax vide 5420 Jud 117-21-10 of 1422

individuals other than a company or firm or
tees, being two or more in number of any
land any one individual person duly authorised
behalf by the members of such family
body or by such trustees and when such q
is possessed by any company or firm the resident
ber manager or agent thereof shall unless he is
fied under Section 21 of the Regulation on
being less than 21 years of age be entitled to
name entered in the list of voters on behalf of
family or association or body or trustees or
firm

(*b*) If any person whose name is entered in the said list
proviso (*a*) possesses on his own separate account
qualification prescribed as aforesaid he shall be
to have his name entered in the said list
his own account

(*c*) Except in the case mentioned in proviso (*b*)
shall be entitled to more than one vote
be qualified under two or more tests of
prescribed by this rule or by Section 12 of the
tion

What persons may be candidates at a Municipal election

4 Voters of the classes described below shall unless illiterate or disqualified under Section 15 of the Regulation, be qualified to be candidates for Municipal Councillorship at such election —

(*a*) Persons mentioned in Section 12 (*a*) and (*b*) of the
lation

(*b*) Persons mentioned in paras (i) (ii) (iii) (vi) and (vii) of
Rule 3 *supra*

(*c*) Pensioners of the kind described in para (iv) of Rule 3 *supra*
provided that their pension is not less than Rs. 10
month

(*d*) Registered landholders whose holdings are assessed (or in
the case of alienated lands would be assessed if they
were not alienated) to the land revenue at an amount
not less than Rs 5

(*e*) (1) Persons paying Municipal taxes of amounts not less
than Re 1

(2) Persons who have been the occupiers as owners mort-
gagees or tenants of buildings on account of which
there has been paid a tax of not less than the
amount fixed under the above sub para and

(*f*) In the case of new Municipalities (i) all persons mentioned
in (*a*) (*b*) (*c*) and (*d*) (ii) persons owning immovable
property valued at not less than Rs 250 (iii) persons
who have paid in respect of the year immediately
preceding the election mohatarfa tax of an amount not
less than Rs 6 and (iv) persons who have paid a sum
not less than Rs 20 as land revenue or rent of land
for the last revenue year previous to the publication of
the list of voters

No L 5720—Mi 117 21 10

Rule 3 of the Election Rules for Minor Munici
No 600—Mi 57 18 1 dated 18th July 1918 shall be

1 A new clause shall be inserted as clause (vi) a
(vii) (viii) and (ix) being each changed to the next hig

(vi) Persons assessed in the previous year to

2 An additional sub clause (*d*) shall be added
clause (ix) which now becomes (x) —

(*d*) Persons who have been residents of
previous year to income tax

Rule 4 (*b*) issued under the same notification shall
Persons mentioned in paras (i) (ii) (iii) (vi)

Ap
cils
ed as follows —
eunder the existing clauses

me tax
shown below to the existing

unicipality and assessed

mended as follows —
and (viii) of Rule 3 *supra*.

By Order
C VENKATA RAO,
Secretary to Government,
Revenue Department

List of Voters and Candidates

By whom and in what manner and at what period list of voters and candidates is to be prepared

5. The Deputy Commissioner shall, from time to time appoint an officer of the Municipal Council, or in the case of a new Municipality any person whom he thinks fit, to prepare a list of voters. This list shall also indicate what persons shown therein are eligible to be candidates at elections. The list shall be prepared in Kannada.

(ii) In the case of a Municipality, whether a new Municipality or not to which Elective Councillors are to be appointed for the first time after these rules come into force, the said list shall be prepared as soon as may be after it has been notified by the Government that the Municipal Council shall consist wholly or partly of such Councillors.

(iii) Similar new lists shall be prepared every year by an officer of the Municipality as aforesaid

Publication of lists.

6. (1) Every list prepared under Rule 5 shall be published by affixing a copy thereof at the Municipal Office, or in the case a new Municipality, at the chavadi and at such other conspicuous place or places within the Municipality, as the Municipal Council, or, in the case of a new Municipality, the Deputy Commissioner shall appoint and also by beat of tom tom in the Municipality at least two months before the date herein below specified, *viz*

(*a*) In the case of an existing Municipality, for which a new constitution is for the first time notified by the Government under Section 11 of the Regulation, the date fixed by the Government for the commencement of the new constitution of such Municipality,

(*b*) In the case of new Municipality such date as the Deputy Commissioner in his discretion, fixes for the commencement of the terms of Office of the first Municipal Councillors, and

(*c*) In respect of every list of voters after the first, the first day of October or other date the Deputy Commissioner may determine by notice to be given in that behalf and to be affixed at the Municipal Office.

Revision of lists.

7 (i) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein, any person whose name is entered in the said list and who is eligible to be a candidate at election but who is not shown as such therein, and any person whose name is entered in

the said list who shall think that the name of some other person has been wrongly entered therein as a voter or as a voter and candidate may apply in writing within a fortnight from the date of publication of the list to the officer or other person appointed under Rule 5 to prepare the list for the amendment thereof

(ii) The officer or other person appointed as aforesaid shall forthwith forward every such application with his report thereupon for the decision of the Municipal Council or in the case of a new Municipality of the Deputy Commissioner

(iii) The officer or other person appointed to prepare the list may also bring to the notice of the Municipal Council or in the case of a new Municipality of the Deputy Commissioner within a fortnight from the date of publication of the list any additions to or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein.

(iv) Notice of every application under sub section (i) and of every reference under sub section (iii) should be given by the Municipal Council or Deputy Commissioner receiving the same to any person affected thereby and the Municipal Council at its next meeting or the Deputy Commissioner on such early date as he may fix in this behalf in the notice shall consider and pass order on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or a reference shall without delay be communicated to each person if any whose name is thereby ordered to be removed from the list of voters or who is declared ineligible to be a candidate at election

(v) An appeal shall lie to the Deputy Commissioner from the decision of a Municipal Council on any such application or reference but the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant

(vi) Every order passed by the Deputy Commissioner under this rule shall be final

Publication of additions etc made on revision of list

8 (i) All additions to and corrections in the list of voters and candidates made under the authority of the Municipal Council or of the Deputy Commissioner on appeal or otherwise shall be published in the manner

prescribed in Rule 8 at least fourteen days before the date specified in that rule

Custody of list

(11) Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book each page of which shall be sealed with the common seal of the Municipal Council and the said book shall be kept in the Municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Time and place for Election

Deputy Commissioner to fix and publish times and places for elections.

9 The date on which the hours during which, and the place at which Municipal elections shall be held shall be fixed by the Deputy Commissioner by written notice published in English and Kannada and not less than fifteen days before the date prescribed in such notice and copies of the notice shall be affixed at the Municipal Office or in the case of a new Municipality, at the chavadi and at such other conspicuous place or places within the Municipality as the Municipal Council or in the case of a new Municipality the Deputy Commissioner appoints for this purpose and shall also be published by beat of tom tom in the Municipality

Voters at Elections

What persons may vote at a Municipal election

10 Only those persons shall be entitled to vote at a Municipal election whose names are entered in the revised list of voters and candidates of the Municipality in which such election is held last published before the date of election

Nomination of Candidates

Nomination how and by whom to be made

11 (1) Every person who desires or is willing to become a candidate for a Municipal Councillorship and who is shown in the list of voters and candidates as eligible to be a candidate at the election must signify in writing his willingness to serve if he should be elected to the officer appointed by the Deputy Commissioner for this purpose at least ten days before the date fixed for election

(11) The said officer shall if he is satisfied that the said person is qualified as a candidate, include his name in a list of candidates which shall be prepared under his

signature and posted up at the Municipal Office, or, in the case of a new Municipality at the chavadi or other place the Deputy Commissioner appoints for this purpose, and at the place at which the election is to be held and in other conspicuous places at least five days before the date fixed for election

Conduct of Elections

Appointment of Polling officer

12 A Polling officer shall be appointed by the President of the Municipal Council or in the case of a new Municipality by the Deputy Commissioner to preside at the place at which the election is to be held and to receive votes thereat If possible the Polling officer shall be a person who is acquainted with and therefore able to identify the voters or the greater number of them

For how many and for what persons votes may be given

13 Every voter may vote for as many candidates as there are Councillors to be elected for the Municipality A vote for any person whose name is not included in the list of candidates published under Rule 11 shall not be received

Voting to be in person

14 Voters must vote in person

Voting to be by ballot

15 The votes shall be given by ballot

Description of ballot and procedure in voting

16 Each voter will pass the voting table He will then be given a ballot paper which shall be in the following form He will or request the Polling officer to score out the name or names of the candidates for whom he does not vote retaining the name or names of the candidates not exceeding the number of persons to be elected, for whom he votes sign or affix his left thumb mark to the paper and drop it himself into the ballot box

Names and addresses in alphabetical order	Signature	left thumb mark of the voter

Provision of ballot boxes

17 (1) The ballot box shall be so constructed that the ballot paper can be introduced but not extracted without the box being unlocked and it shall be securely sealed by the President of the Municipal Council with the

Municipal seal or, in the case of a new Municipality, by the Deputy Commissioner with the Deputy Commissioner's seal The President or the Deputy Commissioner as the case may be shall certify in writing that the box is empty and hand it over personally to the Polling officer at the polling office on the day of election

(ii) One box so sealed shall be provided by the Municipal Council or in the case of a new Municipality by the Deputy Commissioner or such officer as he appoints in this behalf for the place at which votes are to be received The cost of the box so provided in the case of a new Municipality shall be paid from the funds of the said Municipality as soon as may be after its first Councillors come into office

What votes shall be allowed by the Polling-officer

18 No vote shall be received by the Polling officer from any person who under Rule 10 is not entitled to vote

Polling-officer to satisfy himself of identity of persons tendering votes etc.

19 The Polling officer shall satisfy himself as to the identity of the persons tendering votes and may refuse the vote of any person who declines to answer any responsible question put to him for this purpose or whose identity is not established to his satisfaction He is also responsible for seeing that the votes shall be recorded with absolute secrecy that no person who is not entitled to vote shall be admitted near the voting table and that persons who have recorded their votes shall leave the place immediately

Voting box how to be disposed of by Polling officer

20 After the close of the poll the Polling officer shall forthwith forward the box aforesaid with its seal or several seals intact to the President of the Municipal Council or to such Municipal Councillor or officer as the President appoints in this behalf or in the case of a new municipality, to the Deputy Commissioner or to such officer as the Deputy Commissioner appoints in this behalf

Determination of results of Election

Scrutiny of votes and declaration of results of elections.

21 (i) The box aforesaid shall be opened in the presence of the Municipal Councillors at a special general meeting convened for this purpose or in the case of a new Municipality in the presence of the Deputy Commissioner or of such officer as the Deputy Commissioner appoints in this behalf

(ii) The votes shall then be scrutinized, and those

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that are valid counted by such persons as the meeting or the Deputy Commissioner or other officer aforesaid appoints in that behalf Any ballot paper on which the names of more candidates are returned than there are persons to be elected shall be invalid

(m) The results of the election on being ascertained at a special general meeting of the Municipal Councillors shall be declared by the presiding officer of such meeting and shall be recorded in the minutes of the proceedings of the meeting In any other case the result shall be declared by the Deputy Commissioner or by the officer appointed by him as aforesaid Provided that no candidate shall be considered as elected unless at least one eighth of the total number of persons entitled to vote have appeared and recorded their votes

P c dng wl n two or m re candi d tes ha an equal number of v te t

23 If there is an equal number of votes in favour of each of two or more candidates for one Councillorship the selection of one of such persons shall be made by lot by the presiding officer of the aforesaid meeting in such manner a the meeting shall determine or in the case of a new Municipality by the Deputy Commissioner or by the officer appointed by the Deputy Commissioner as aforesaid in such manner as the Deputy Commissioner or the said officer shall determine

Election Petitions

23 (a) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected

(b) A person shall be deemed to commit a corrupt practice within the meaning of these rules —

(i) Who with a view to induce any voter to give or to refrain from giving a vote in favour of any candidate offers or gives any money or valuable consideration or holds out any promise of individual profit or holds out any threat or injury to any person or

(ii) who gives procures or abets the giving of a vote in the name of a voter who is not the person giving such vote

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent or by a person who is acting under the general or special authority of such candidate with reference to the election

Explanation —A promise of individual profit includes a promise for the benefit of the person himself or of any one in whom he is interested

24 Every petition against the return of any candidate at a Municipal election on the ground of corrupt practice shall be made in writing signed by a person who was a candidate at the election or by not less than five electors and the petition shall be presented to the Deputy Commissioner within one week after the day on which the result of the election was declared The petition shall specify the acts which the objector or objectors allege to amount to corrupt practice as affecting the result of the election and which he or they are prepared to establish and shall on presentation be supported by a statement made on oath by each objector

Provided that on sufficient cause being shown the limit of one week prescribed by this rule may be extended by the Deputy Commissioner

25 (1) At the time of presenting an election petition or within three days afterwards the objector shall give security for all costs charges and expenses which may become payable by him to any witness summoned on his behalf or to any respondent

(2) The security shall be to such amount not exceeding Rs 200 as the Deputy Commissioner may direct and shall be given either by a deposit of money or by recognizance entered into by not more than three sureties or partly in one way and partly in the other

26 The Deputy Commissioner may either immediately or after a summary enquiry reject the application after recording his reasons in writing for so doing if he is not satisfied that there are grounds for further action on the petition

27 If the Deputy Commissioner believes after examining the objectors and making such enquiry as he deems fit that any corrupt practice has been committed in connection with the election of the respondent he or such officer as he may appoint on this behalf shall serve on the respondent a notice of the presentation of the petition together with a copy of the petition and shall summon him and in his presence make an enquiry regarding the charges brought against him

28 (1) The enquiry shall be held in a place to which the public have free access, and notice of the time and

place of enquiry shall be given to the parties not less than seven days before the first day of the enquiry

(ii) The place of enquiry shall be within the Municipality except that the officer holding the enquiry may, on being satisfied that special circumstances exist rendering it desirable that the enquiry should be held elsewhere, appoint some other convenient place for the enquiry

29. Where the respondent does not appear when the enquiry is instituted then

(i) If it is proved that the summons was duly served the officer holding the enquiry may proceed with the enquiry *ex parte*

(ii) If it is not proved that the summons was duly served the officer holding the enquiry shall direct a second summons to be issued and served on the respondent

30 For the purpose of compelling the appearance of witnesses or the production of documents or other movable property and of recording evidence the officer holding the enquiry shall exercise the same powers as are exercisable by a District Magistrate under Chapters VI and VII of the Criminal Procedure Code II of 1904

31 The officer holding the enquiry shall make a record of all relevant evidence tendered and shall at the conclusion of the proceedings draw up a report of what he believes to be the facts of the case supported by the recorded evidence and state his opinion whether the alleged corrupt practice has been committed in connection with the election of the respondent If the officer holding the enquiry be satisfied that no case has been established against the return of the candidate whose election has been the subject of inquiry he shall record an order to this effect and declare his election valid If on the other hand he believes that allegation of corrupt practice has been established he shall forward the proceedings with his report to the Deputy Commissioner if the enquiry is held by an officer appointed by him

32 All costs charges and expenses of and incidental to the presentation of the petition and the subsequent enquiry shall be defrayed by the parties concerned, in such manner and proportions as the Deputy Commissioner determines and in particular any costs, charges and expenses which in the opinion of the Deputy Commissioner have been caused by vexatious conduct, unfounded allegations or unfounded objections on the part

either of any objector or the respondent and any needless expenses incurred or caused on the part of any objector or the respondent may be ordered to be defrayed by the parties by whom they have been incurred or caused

33 Any costs awarded under these rules may be recovered on application to a Magistrate having jurisdiction within the limits of the Municipality, or in any other place where the person from whom the money is claimable may for the time being be resident by the distress and sale of any movable property within the limits of the jurisdiction belonging to such person

34 If the Deputy Commissioner after a perusal of the proceedings is of opinion that the charge of corrupt practice has not been established he may pass an order declaring the candidate duly elected If on the other hand he finds that the charge of corrupt practice has been established he shall declare the election void and may further order that the candidate shall be incapable of holding a Municipal office for a period which may extend to five years

35 The Deputy Commissioner may remand the proceedings to the officer holding the enquiry for further enquiry if this be thought necessary before passing a final order No party to the proceedings may claim as a right to be present in person or by counsel before the Deputy Commissioner

36 The Deputy Commissioner may of his own motion make enquiry regarding the conduct of any candidate whom he has reason to suspect of having committed any corrupt practice in connection with his election and the case shall be investigated and disposed of in the manner prescribed in these rules

37 When under Rule 33 the election of candidate is declared void the Deputy Commissioner shall direct either that the unsuccessful candidate next following on the list be declared duly elected or that a new election be held

Custody and Destruction of Voting Papers

Safe custody of voting papers and Polling officer s memoranda

38 When the voting papers have been scrutinized they shall be replaced in the box from which they were taken and the box after being locked and sealed with the Municipal seal, or in the case of a new Municipality, with the Deputy Commissioner s seal, shall be kept by the

President of the Municipal Council or in the case of a new Municipality by or under the direction of the Deputy Commissioner in safe custody for a period of fifteen days from the date of the result of election

Eventual destruction of papers and Polling officer's memoranda

39 (i) On the expiry of fifteen days from the said date or if an application regarding the election is made to the Deputy Commissioner under Rule 24 and such application is not finally disposed of before the expiry of fifteen days from the said date then whenever such application has been finally disposed of the voting papers shall be destroyed in the presence of such Municipal Councillor or officer as the Municipal Council appoints for this purpose or in the case of a new Municipality, in the presence of the Deputy Commissioner or of such officer as the Deputy Commissioner appoints in this behalf

(ii) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid the Municipal Councillor or in the case of a new Municipality the Deputy Commissioner, or other officer appointed by him as aforesaid shall cause the voting papers to be kept pending the final disposal of the said application

Gazetting the Results of Election

General

Publication of results of elections in the Mysore Gazette

40 The result of every election declared at a special meeting under Rule 21 shall be certified by the presiding officer of such meeting to the Deputy Commissioner who shall notify it in the *Mysore Gazette* The Deputy Commissioner shall also similarly notify the result of every election declared under the said rule by himself or by an officer appointed by him for being published in the said Gazette

Report to same to Govt

By Elections

41 On a vacancy occurring in a Municipality between two general elections it shall be reported by the President of the Municipal Council to the Deputy Commissioner and the above rules shall apply to such bye elections except Rules 9 and 10 The last revised list of voters and candidates shall be published and persons entered in that list unless disqualified in the meantime, shall alone be considered entitled to vote or to be elected Provided that no bye election shall except with the sanction of the Deputy Commissioner be held later than one month after the vacancy is reported

RULES FOR THE ELECTION OF PRESIDENTS AND VICE PRESIDENTS OF CITY MUNICIPAL COUNCILS

NOTIFICATION

No 4696—Ml 45 18 3 dated 23rd September 1918

With reference to paragraph 7 of Government Order No 3005 55—Ml 132 16 1 dated the 16th November 1916 and under Section 23 (2) (c) of the Mysore Municipal Regulation as amended by Regulation V of 1918 the Government of His Highness the Maharaja of Mysore are pleased to prescribe the following rules in supersession of those published under Notification No 411—Ml 45 18 1 dated 4th July 1918 for the election of the President or Vice President of a City Municipal Council

When the Government shall have directed that the President or the Vice President or both of a City Municipal Council shall be elected the election shall be subject to the following rules —

(i) The election shall be subject to the approval of Government

(ii) The election shall take place at the first meeting the of newly constituted Municipal Council or at a special meeting held on a day not later than two months from the date of the Government Order if the direction was given during the term of office of the existing Councillors as the case may be At least twenty days and not more than 30 days notice shall be given of such election by the President or the Vice President or in the absence of both, by the Chief Executive Officer of the Municipal Council

(iii) The election shall not be held unless at least three fourths of the total number of Councillors are present at the meeting

(iv) Every candidate for the Office of President or Vice President shall be nominated by at least two Councillors in the following form which shall be sent to the Chief Executive Officer of the Municipal Council at least fifteen days before the date of the Special meeting at

which the President or the Vice President is to be elected

Municipality of we the undersigned, nominate as a candidate for the Office of Pr d t Pre dent at the election to be held on the day of 19

Signed..

Date Signed

(v) The names of the candidates shall be notified at the Municipal Office at least 10 days before the day fixed for holding the election

(vi) Voting shall be by ballot and the election shall be decided by a majority of votes of the Councillors present at the meeting, provided that no candidate shall be declared elected unless he secures at least two thirds of the total number of votes of the Councillors present at the meeting.

(vii) The election shall be conducted in the following manner —

(a) Every Councillor wishing to vote shall at the meeting write on a slip of paper the name of the candidate he wishes to be elected to the office of President or Vice President and place the same in a box so constructed that papers may be placed therein but not extracted without the box being opened The presiding authority shall then open the box and count the votes in the presence of the Council The candidate having the largest number of votes or if only one candidate has been nominated such candidate shall be considered to have been elected to the office subject to the condition laid down in Rule (vi) above

(b) If no candidate has secured the absolute majority of votes required by Rule (vi) the ballot shall be repeated

(c) At each successive ballot the candidate who obtained the fewest votes at the preceding ballot shall be eliminated and he shall then be eligible to vote If two or more candidates lowest on the list have obtained equal number of votes a separate ballot shall be taken in order to decide which of them should be eliminated The elimination shall, if no candidate secure an absolute majority of votes, be made until two candidates only are left and if

even the last ballot fails to produce the required majority of votes in favour of any one candidate the meeting shall be closed

(d) No candidate nominated for the office shall take part in the ballot, but a candidate may withdraw his candidature at any stage with or without the consent of his nominators after which he shall be competent to take part in the ballot

(viii) Immediately after the meeting, the proceedings shall be submitted to Government for orders with the names of all the Councillors who attended the meeting

(ix) The validity of any election may be contested by a petition signed by at least three Councillors and not otherwise provided that such petition shall reach the Secretary to Government in the Revenue Department within seven days from the date of the election and allege specific grounds for setting aside the election on account of material irregularity in the conduct thereof

(x) Upon receipt of such petition the Government may cause enquiry to be made by a Board consisting of—

(1) the Deputy Commissioner of the District

(2) another Officer appointed by Government and

(3) a non official Councillor deputed by the Municipal Council into the validity of such objection or objections The Board shall thereupon report the result of the enquiry to Government who may pass such orders as they may think fit

(xi) In the event of no election being made within the prescribed period or in the event of an election held not being approved by Government Government may appoint the President or Vice President as the case may be or may order a fresh election

(xii) These rules shall apply *mutatis mutandis* to the election of a President or a Vice President in filling up vacancies arising under Sub section (7) of Section 23 Municipal Regulation Such vacancy shall be filled up within two months from its occurrence

RULES FOR THE ELECTION OF PRESIDENTS AND VICE PRESIDENTS IN TOWN AND MINOR MUNICIPAL COUNCILS

NOTIFICATION

No 4999—Ml 45 18 4 dated 30th September 1918

With reference to paragraph 7 of Government Order No 3005 55 —Ml 132 18 1 dated 16th November 1916, and under Section 23 (3) (1) of the Mysore Municipal Regulation as amended by Regulation V of 1918, the Government of His Highness the Maharaja are pleased to prescribe the following rules in supersession of those published under Notification No 414— Ml 45 18 2 dated 4th July 1918 for the election of the President or Vice President of a Municipal Council other than that of a City Municipal Council

When the Government shall have directed that the President or the Vice President or both of a Municipal Council shall be elected the election shall be subject to the following rules —

(i) The election shall be subject to the approval of Government

(ii) The election shall take place at the first meeting of the newly constituted Municipal Council or at a Special Meeting held on a day not later than two months from the date of the Government Order if the direction was given during the term of the existing Councillors as the case may be At least 20 days and not more than 30 days notice shall be given of such election by the President or the Vice President or in the absence of both the Chief Executive Officer of the Municipal Council

(iii) The election shall not be held unless at least half of the total number of Councillors are present at the meeting

(iv) Every candidate for the office of President or Vice President shall be nominated by at least two Councillors in the following form which shall be sent to the Chief Executive officer of the Municipal Council at

REVENUE SECRETARIAT.

No. L 3353—Ml 69-22 20, dated 3rd November 1922.

The following changes are made in Notification No. 4399—Ml 45-18-144, dated the 23rd September 1918, publishing rules for the election of President and Vice-President of a Municipal Council other than that of a City Municipal Council —

(i) The word "non-official" shall be inserted before "President" in the preamble.

(ii) The words non-official Councillors to the extent of shall be inserted in rule (iii) after the word unless and the word "such before the word "Councillors in the same rule.

(iii) The word "non-official' shall be inserted before the word 'Councillors in rule (iv

(iv) The following shall be added to Rule V —

"No Councillor who is a Government servant shall take part in voting

2. The rules as amended above read as hereunder :—

With reference to paragraph 7 of Government Order • • the Govern ment of His Highness the Maharaja are pleased to prescribe the following rules • • for the election of non-official President or Vice-President of a Municipal Council other than that of a City Municipal Council

(iii) The election shall not be held unless non-official Councillors to the extent of at least half of the total number of such Councillors are present at the meeting

(iv) Every candidate for the office of the President or Vice President shall be nominated by at least two non-official Councillors in the following form which shall be sent to the Chief Executive Officer of the Municipal Council at least ten days before the date of the special meeting at which the President or the Vice-President is to be elected

• • • • •

(v) The election shall be decided by a majority of votes of the Councillors present at the meeting and voting No Councillor who is a Government servant shall take part in voting.

By Order,

T. E. JEYARAMA AIYAR,
Secretary to Government,
Revenue Department.

MUNICIPAL AND LOCAL BOARDS.

No L 2634—Ml 110 25 1 dated 13th October 1925

Under Clause (c) of Sub Section (2) of Section 23 of the Mysore Municipal Regulation 1906 as amended by Regulation V of 1918 the Government of His Highness the Maharaja of Mysore are pleased to introduce the following amendments in Rules 5 and 10 of the Rules issued with Notification No L 6342—Ml 56 24 233 dated the 28th February 1925 to regulate the election of the President and the Vice President of a Town or Minor Municipal Council —

1 The following shall be substituted for Clause (c) of Rule 5 *viz*

If there are only two candidates and both of them secure an equal number of votes *the election of one of them shall be made by lot by the presiding authority of the meeting in such manner as the Municipal Council at such meeting shall decide*

2 The following shall be substituted for the last sentence of Clause (d) of Rule 5 *viz*

If the two candidates left after the elimination secure an equal number of votes the election of one of them shall be made in the manner indicated in Clause (c) *supra* as amended

3 In Clause (e) of the said rule after the word and figure Rule (4) the words or when the election is made by lot under Clauses (c) and (d) *supra* as amended, shall be added

4 The words or in the event of two candidates securing an equal number of votes" after the words approved by Government " in Rule 10 shall be deleted

By Order,
B Nagappa,
Secretary to Government,
Local and Legislative Departments

before the date of the special meeting at which nt or the Vice President is to be elected.

Municipality of

the undersigned, nominate as a candidate the office of $\frac{\text{President}}{\text{Vice-President}}$ at the election to be held on day of the 192

Date

Signed
Signed

(v) The election shall be decided by a majority of votes of the Councillors present at the meeting and voting

(vi) The election shall be conducted in the follow manner —Every Councillor wishing to vote shall at meeting write on a slip of paper the name of the can te he wishes to be elected to the office of President or ice President and place the same in a box so constructed papers may be placed therein but not extracted with out the box being opened The Presiding authority shall then open the box and count the votes in the presence of e council The candidate having the largest number of tes or if only one candidate has been nominated such candidate shall be considered to have been elected to the ce subject to the condition laid down in rule (v) above there are equal number of votes in favour of each of o or more candidates the election of one of them shall made by lot by the presiding authority of the meeting such manner as the Municipal Council at such meeting all decide

(vii) The result of the election shall be declared at meeting immediately by the presiding authority and unicated by him without delay to the Deputy Com ner of the District

(viii) The presiding authority shall also forward his signature to the Deputy Commissioner minutes the proceedings of the meeting with the names of the Councillors present

(ix) The validity of election may be contested by a tition signed by at least three Councillors and not other se provided that such petition shall reach the Deputy Commissioner within seven days from the date of the election and shall allege specific grounds for setting aside the election on account of material irregularity in the conduct thereof

(x) Upon receipt of such petition the Deputy Com shall enquire personally or by some other officer

deputed by him not below the grade of an Assistant Commissioner into the validity of such objection or objections.

(xi) When seven days from the meeting have expired, or, if any such petition as is described in Rule (ix) above has been received then upon the conclusion of the enquiry into the validity of such objection or objections the Deputy Commissioner shall report the proceedings together with his opinion to Government who shall pass such orders as they may think fit

(xii) In the event of no election being made within the prescribed period, or in the event of an election held not being approved by Government Government may appoint the President or Vice President as the case may be, or may order a fresh election

(xiii) These rules shall apply *mutatis mutandis* to the election of a President or Vice President in filling up vacancies arising under Sub-section (7) of Section 25 Municipal Regulation The vacancy should be filled up within two months from its occurrence

By Order,

B. RAMASWAMAIYA,

Secretary to Government,

Revenue Department

W D 2000—GPB—25—1-49

City Municipal Election Rules 1919-1936

No 8207 - Mi-129-18-1, dated 7th January 1919

In exercise of the powers conferred by Section 11 (c) of the Mysore Municipal Regulation, No. VII of 1906, and in supersession of the existing rules on the subject, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors in a City Municipality and regulating the conduct of such elections.

Preliminary

1 These rules may be cited as the City Municipal Election Rules, 1919

2 In these rules "the Regulation means the Mysore Municipal Regulation, No. VII of 1906, as amended by Regulations Nos. IX of 1911, VIII of 1914, VIII of 1915, III of 1916 and V of 1918.

Divisions

3 (i) The Municipal Council may divide the Municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined, and, when such a division has been made, shall apportion the number of elective Councillors over the said divisions with reference to the population, the number of voters and the total revenue under assessed taxes in every Division

(ii) The Divisions into which the Municipalities of Bangalore and Mysore are at present divided for electoral purposes and the number of elective Councillors at present apportioned over the several divisions shall be deemed to have been fixed and apportioned under clause (i).

(iii) The Municipal Council, may from time to time, alter the number and boundaries of the Divisions and re-apportion the number of elective Councillors among the Divisions, provided that except with the sanction of the Government no such alteration or re-apportionment shall take effect within six months from the date on which

it is made and that every such re-apportionment be made in the manner aforesaid.

4 (1) If in any division of a Municipality divided for electoral purposes into divisions under the foregoing rule not less than 50 per cent, and in a Municipality not so divided not less than 25 per cent, of the total number of persons eligible to vote belong to any one section of the inhabitants, then such voters may apply to Government, provided that the application is made by not less than three-fourths of their total number, for permission to elect one or more members of such section and the Government may thereupon pass such orders as they deem fit.

(2) If, in any Municipality, there is any recognised public body or association, such body or association may apply to Government by a resolution passed by not less than three-fourths of the total number of members of such body or association for separate representation on the Municipal Council by election from among themselves provided that the strength of such body or association has not been less than 100 for a period of six months next prior to the date of such resolution, and that not less than three-fourths of the members are entitled to have their names entered in the list of voters and the Government may thereupon pass such orders as they deem fit.

Qualification of Voters and Candidates.

Qualification of voters.

5. Unless disqualified under Section 21 of the Regulation by being less than 21 years of age, all persons who are of sound mind, and who are not deaf-mutes, and who are subjects of Mysore or of any other State in India and all British Subjects qualified as voters under Section 3 (a) and (b) of the Regulation and the following persons of the male sex shall be entitled to have their names entered in the list of voters for the said Municipality:

(i) First and Second grade pleaders holding Sannads from the Chief Court of Mysore.

(ii) Persons upon whom titles have been conferred by the Government of India, or by His Highness the Maharaja of Mysore.

(iii) Servants of Government, or of any public body, or of any corporation or of any company registered under

Regulation, VIII of 1917, whose salary is not less than Rs. 50 per mensem

(iv) Persons in receipt of pension of not less than Rs. 15 per mensem from Government, or, from any public body, or corporation or company registered as aforesaid, and

(v) Registered landholders whose holdings are assessed (or in the case of alienated lands, would be assessed if they were not alienated) to the land revenue at an amount not less than Rs. 5

(vi) (a) Persons who have paid for a period of not less than six months next prior to the date of the publication of the list of voters, Municipal taxes, other than octroi or toll, of an amount not less than Rs. 2-0-0.

(b) Persons who have been during the period aforesaid the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid for such period a sum of not less than the amount fixed under the above para.

Provided that—

(a) when any qualification prescribed by this rule is possessed by an undivided family, or any association or body of individuals, other than a company or firm or any trustees, being two or more in number of any building or land, any one individual person duly authorised in this behalf by the members of such family, association or body or by such trustees and when such qualification is possessed by any company or firm the resident member, manager or agent thereof shall, unless he is disqualified under Section 21 of the Regulation on account of being less than 21 years of age, be entitled to have his name entered in the list of voters on behalf of such family or association or body or trustees or company or firm,

(3)

(a) if any person whose name is entered in the said list under proviso (a) possess on his own separate account any qualification prescribed as aforesaid, he shall be entitled to have his name entered in the said list separately on his own account,

(b) except in the case mentioned in proviso (a) no person shall be entitled to more than one vote although he be qualified under two or more of the tests of qualification prescribed by this rule or by Section 12 of the Regulation

Voters entitled to vote in one Division only

6. Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from the payment of Municipal taxes, in the division in which his liability to pay the same occurs.

Provided that—

(a) no person shall be entitled to vote in more than one Division,

(b) any person possessing the qualifications of a voter in connection with more than one Division shall be at liberty to choose for which of such Divisions he shall be entitled to vote, and failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such division as the Municipal Council shall determine, save in ordinary cases

The preparation of the list of voters under Rule 19

What persons may be candidates at a Municipal election

7 (i) Voters of the classes described below shall unless illiterate or disqualified under Section 15 of the Regulation, be qualified to be candidates for Municipal Councillorship at such election —

(a) persons mentioned in Section 12 (c) and (d) of the Regulation,

(b) persons mentioned in paras (i) and (ii) of Rule 4 *supra*,

(c) persons other than Government servants described in para (iii) of the above said rule if their pay is not less than Rs. 100.

(d) Pensioners of the kind described in para (v) of 4 *supra*, provided that their pension is not less than Rs. 50 a month

(e) Registered landholders whose holdings are assessed (or in the case of alienated lands

of lands situated in the municipal

would be assessed if they were not alienated) to the land revenue at an amount not less than Rs. 10.

(f) (1) Persons paying Municipal taxes of amounts not less than Rs. 5.

(2) Persons who have been the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid a tax of not less than the amount fixed under the above sub-para.

(ii) Any person whose name is entered in the list of voters as entitled to vote in one Division may be a candidate for election either in the Division for which his name is so entered or in any other Division

List of Voters and Candidates

8. (i) The Government shall, from time to time, appoint an officer of the Municipal Council to prepare a list of voters. This list shall also indicate which persons shown therein are eligible to be candidates at elections.

By whom and in what manner and at what periods list of voters and any alterations to be prepared

(ii) Such list shall show the persons entitled to vote in each Division separately

~~(iii) Similar new lists shall be prepared every year~~ by an officer of the Municipality as aforesaid

9 Every list prepared under Rule 8 shall be published in the official *Gazette* both in English and Kannada and copies thereof affixed at the Municipal Office, and at such other conspicuous place or places within the Municipality, as the Municipal Council shall appoint at least two months before the 1st day of June or other date the Government may determine by notice to be given in that behalf and to be affixed at the Municipal Office.

10. (i) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein, any person whose name is entered in the said list and who is eligible to be a candidate at election but who is not shown as such therein, and any person whose name is entered in the said list who shall think that the name of some other person has been wrongly entered therein as a voter or as a voter and candidate, may apply in writing within a fortnight from the date of publication of the list to the officer or other person appointed under Rule 8 to prepare the list, for the amendment thereof

Revision of lists

(ii) The officer or other person appointed as aforesaid shall forthwith forward every such application, with his report thereupon for the decision of the Municipal Council.

(iii) The officer or other person appointed to prepare the list may also bring to the notice of the Municipal Council within a fortnight from the date of publication of the list, any additions to, or corrections in the list which he shall discover to be necessary, otherwise than on the application of any person interested therein.

(iv) Notice of every application under sub-section (i) and of every reference under sub-section (iii) should be given by the Municipal Council, to any person affected thereby and the Municipal Council at its next meeting, shall consider and pass order on such application or reference. A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order, whether upon an application or a reference shall without delay be communicated to each person, if any, whose name is thereby ordered to be removed from the list of voters, or, who is declared ineligible to be a candidate at election.

(v) An appeal shall lie to Government from the decision of a Municipal Council on any such application, or reference, but the Government may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant.

(vi) Every order passed by the Government under this rule shall be final.

Publications, additions, etc., made on revision of list.

11 (i) All additions to, and corrections in the list of voters and candidates, made under the authority of the Municipal Council or of the Government on appeal or otherwise, shall be published in the manner prescribed in Rule 9 at least fourteen days before the date specified in that rule.

Custody of list.

(ii) Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book, each page of which shall be sealed with the common seal of the Municipal Council, and the said book shall be kept in the Municipal chest or safe under lock and key, and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book.

Time and Place for Elections

President to fix and publish times and places for elections.

12 The dates on which the hours during which, and the places at which Municipal elections shall be held shall be fixed by the President subject to approval of Government by written notice published in English and Hindustani not less than fifteen days before the earliest date mentioned in such notice and copies of the notice shall be affixed at the Municipal Office and at such other conspicuous place or places within the Municipality as the Municipal Council appoint for this purpose

Votes at Elections

What persons may vote at a Municipal election

13 Only those persons shall be entitled to vote at a Municipal election whose names are entered in the revised list of voters and candidates of the Municipality in which such election is held, last published before the date of election and the said persons shall be entitled to vote in the division for which their names are respectively entered in the said list

Nomination of Candidates

Nomination how and by whom to be made

14 (i) Every person who desires or is willing to become a candidate for a Municipal Councillorship and who is shown in the list of voters and candidates as eligible to be a candidate at the election must be nominated in writing for this purpose by two persons entitled to vote at the election for such Municipal Councillorship and the nomination paper must bear an endorsement signed by the nominee signifying his willingness to serve if he should be elected and be delivered to the officer appointed by the Government for this purpose at least ten days before the date fixed for election

(ii) The said officer shall if any nomination paper is prepared and delivered to him in accordance with sub section (i) and if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate include the nominee's name in a list of candidates which shall be prepared under his signature and posted up at the Municipal Office and at the place at which the election is to be held and in other conspicuous places at least five days before the date fixed for election

(iii) When elections are to be held at or about the same time in two or more divisions one and the same person may be nominated for election in all or in any number of the said divisions

~~Conduct of Elections~~

Appointment of Polling Officer

~~26 15~~ A Polling Officer shall be appointed by the President of the Municipal Council to preside at each place at which an election is to be held and to receive votes thereat If possible the Polling Officer shall be a person who is acquainted with and therefore able to identify the voters or the greater number of them

For how many candidates what persons vote may give

~~26 15~~ Every voter may vote for as many candidates as there are Councillors to be elected for the division A vote for any person whose name is not included in the list of candidates published under Rule 14 shall not be received

Voters to vote in person

~~23 17~~ Voters must vote in person

Voting to be by ballot

~~24 18~~ The votes shall be given by ballot

Description of ballot

~~2 [illegible] 10~~ The ballot of each voter shall consist of an envelope supplied at the Polling Office on the face of which the number of vacancies to be filled and the names of candidates ~~for election whose nominations have been included in the list of candidates under Rule 14~~ shall be printed or legibly written, ~~but the name of any candidate who may have subsequently withdrawn his candidature should be scored out by the President of the Municipal Council or the Polling Officer under the orders of the President~~ The voter shall write his name and number inside the envelope and hand it over to the Polling Officer who shall after seeing that the name and number of the voter are legibly entered close the envelope seal it or sign across the flap and give it to the voter In the case of illiterate voters the Polling Officer shall enter their name and number inside the envelope

Procedure in voting

30 (i) The voter shall then go into a private cubicle, which shall be provided within the polling booth score out the name or names of the candidates for whom he does not vote retaining the name or names of the candidates not exceeding the number of persons to be elected, for whom he votes and himself drop without the Polling Officer seeing for whom he has voted, the envelope into the ballot box The Polling Officer shall carry out any special rules that may be made by the ~~President of the~~ Municipal Council as ~~he~~ hereby empowered to make such rules for recording the votes of illiterate persons and also of such as are unable to write

(ii) The ballot box shall be so constructed that the ballot paper can be introduced but not extracted without

the box being unlocked and it shall be securely sealed by the President of the Municipal Council with the Municipal seal, The President shall certify in writing that the box is empty and hand it over personally to the Polling Officer at the Polling Office on the day of election

(iii) One or more boxes so sealed shall be provided by the Municipal Council for each place at which votes are to be received

31 21 No vote shall be received by the Polling Officer from any person who under ~~Rule 12~~, is not entitled to vote

Wh t votes hall be all wed by th Polling Offi

32 22 The Polling Officer shall satisfy himself as to the identity of the persons tendering votes, and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction He is also responsible for seeing that the votes shall be recorded with absolute secrecy that no person who is not entitled to vote shall be admitted to the polling booth and that persons who have recorded their votes shall leave the booth immediately

P lli g Office to t sfy hum self of dentity of persons te deri g te ste

23 After the close of the poll the Polling Officer shall forthwith forward the box or boxes aforesaid with its seal or their several seals intact to the ~~President of the Municipal Council or to such Municipal Councillor or officer as the President appoints in this behalf~~

V t g b xes how t be disposed of by Polli g Officer

Determination of results of Elections

24 (i) The boxes aforesaid shall be opened in the presence of the Municipal Councillors at a special general meeting convened for this purpose

(ii) The votes shall then be scrutinized and those that are valid counted by such persons as the Councillors present appoint in this behalf Any ballot paper on which the names of more candidates are retained than there are persons to be elected shall be invalid

Scrut ny of tes d declar ti n of lts of l ct ns

(iii) The results of the election on being ascertained at a special general meeting of the Municipal Councillors shall be declared by the presiding officer of such meeting and shall be recorded in the minutes of the proceedings of the meeting Provided that no candidate shall be con as elected unless he secures the votes of at least ighth of the total number of persons entitled to vote

Proceed g wh tw m re c d d tes h n qual umbe f te t

25 (1) If there is an equal number of votes in favour of each of two or more candidates for one Councillorship the selection of one of such persons shall be made by lot by the presiding officer of the aforesaid meeting in such manner as the meeting shall determine

(2) In the event of any person being elected for two or more divisions such person shall be at liberty to choose the division which he will represent and failing his doing so within forty eight hours after the declaration of the result of the election he shall represent such of the said divisions as the Government shall determine In every other division for which the said person has been returned other than the one which he elects to represent or which it is determined as aforesaid that he shall represent the result of the election shall be determined as if no votes had been recorded for him

Custody and Destruction of Voting Papers

S fe c tody of oting papers and P li ng Offi ce m m rand

26 When the voting papers have been scrutinized, they shall be replaced in the box from which they were taken and the box after being locked and sealed with the Municipal seal shall be kept by the President of the Municipal Council in safe custody for a period of fifteen days from the date of the declaration of the result of election

Eventual destructi t ot g papers d Poll g Office mem ra d

27 (1) On the expiry of fifteen days from the said date or if an application regarding the election is made to the District Judge under Section 22 of the Regulation and such application is not finally disposed of before the expiry of fifteen days from the said date then whenever such application has been finally disposed of the voting papers shall be destroyed in the presence of such Municipal Councillor or officer as the Municipal Council appoints for this purpose

(2) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid the Municipal Councillor shall cause the voting papers to be kept pending the final disposal of the said application

Gazetting the Results of Election

Publ cat n f results of elec tions in th *Mysore Gazette*

28 The result of every election declared at a special general meeting under Rule 24 shall be certified by the presiding officer of such meeting to the Government for being notified in the *Mysore Gazette*

29 On a vacancy occurring in a Municipality between two general elections it shall be reported by the President of the Municipal Council to the Government and the above rules shall apply to such bye elections except Rules 10 and 11 The last revised list of voters and candidates shall be published and persons entered in that list unless disqualified in the meantime shall alone be considered entitled to vote or to be elected Provided that no bye-election shall except with the sanction of the Government be held later than one month after the vacancy is reported Bye-election

By Order

C. S BALASUNDARAM IYER
For Secretary to Government
Revenue Department

GPB—100-1-1933.

e Mar Registrar

6

Election Rules of Town and Minor Municipal Councils

Price—0 1 6

No. L 6342—*Jil.* 56 24-238 *dated 28th February* 1925

Under Clause (*c*) of the Sub-Section (2) of Section 23 of the Mysore Municipal Regulation, 1906, as amended by Regulation, V of 1918, and in supersession of the existing rules on the subject, the Government of His Highness the Maharaja are pleased to make the following rules to regulate the election of the President and the Vice-President of a Town or Minor Municipal Council when the Government shall have directed that one or both of these office-bearers be elected by the Council :—

(1) The election shall take place—

(*a*) if the privilege of election is granted during the term of an existing Council, at a meeting of the Council held not later than two months from the date of the Government Order granting the privilege

(*b*) when an elected President or Vice-President vacates office on the expiry of his term of office, at a meeting of the Council held not later than one month from the date of occurrence of the vacancy

(*c*) in the case of a reconstituted Council enjoying the privilege, at a meeting of the Council not later than one month from the date of the reconstitution,

(*d*) when the office of an elected President or Vice-President becomes vacant under Sub-Section (7) of Section 23 of the Regulation, at a meeting of the Council held not later than two months from the date of occurrence of the vacancy and

(*e*) when a fresh election is ordered under Rule (10) *infra*, at a meeting of the Council held not later than two months from the date of such order

Provided that at least fifteen days and not more than twenty days' notice of every such meeting shall be given during the said period of one or two months as the case may be, by the President for the time being or in his absence by the Vice-President, or, in the absence of both of them by the Chief Executive Officer of the Municipal Council.

(2) Every candidate for the office of President or Vice-President shall be nominated after the issue of such notice by at least two non-official members of the existing or reconstituted Council, as the case may be, in the following form, which shall be sent to the Chief Executive Officer of the Municipal Council at least seven days before the date of the meeting at which the election is to take place.

Municipality of

We, the undersigned, nominate .as a candidate for the office of President or Vice-President at the election to be held on the .day of 192

Date.

Signed
Signed

(3) The names of candidates shall be notified at the Municipal Office at least five days before the day fixed for holding the election.

(4) The voting shall be by ballot and the election shall be decided by a majority of votes of the Councillors voting at the meeting provided that the number of non-official Councillors present shall not be less than half of the total number of such Councillors.

No Councillor who is a Government servant and no candidate nominated for the office shall take part in the ballot. But a candidate may withdraw his candidature at any stage with or without the consent of his nominators and if he does so, he shall then be competent to take part in the ballot.

(5) The following procedure shall be adopted in conducting the election :—

(*a*) If only one candidate has been nominated, there shall be no balloting and such candidate shall be deemed to have been elected, provided that the number of non-official Councillors present shall not be less than half of the total number of such Councillors.

(*b*) If two or more candidates have been nominated, the votes shall be recorded as follows —

Every Councillor wishing to vote shall at the meeting, write on a slip of paper the name of the candidate he wishes to be elected to the office of President or Vice-President and place the same in a box so constructed that papers may be placed therein, but not extracted without the box being opened The Presiding authority shall then open the box and count the votes in the presence of the Council. Any ballot paper, on which the names of more candidates than one are retained shall be invalid.

(c) If there are only two candidates and both of them have secured an equal number of votes, the proceedings shall be closed.

(d) If there are more than two candidates and no one of them has secured a majority of votes required by Rule (4) the ballot shall be repeated At each successive ballot, the candidate who obtained the fewest votes at the preceding ballot shall be eliminated and he shall then be eligible to vote If two or more candidates lowest on the list have obtained an equal number of votes, a separate ballot shall be taken in order to decide which of them should be eliminated The elimination shall if no candidate secures the prescribed majority of votes be made until two candidates only are left. If the two candidates left after the elimination secure an equal number of votes the ballot shall not be further repeated

(e) If only one candidate has been nominated and he is deemed to have been elected under paragraph (a) *supra* or if as a result of the ballot any one of the candidates has secured a majority of the votes as required by Rule (4) the election of such candidate shall not take effect until the Government have notified their approval of the same

(6) The result of the election shall be declared at the meeting immediately by the presiding authority and communicated by him without delay to the Deputy Commissioner of the District along with the minutes of the proceedings of the meeting with the names of the Councillors present

(7) The validity of election may be contested by a petition signed by at least three Councillors and not otherwise provided that such petition shall reach the Deputy Commissioner within seven days from the date of the election and shall allege specific grounds for setting aside the election on account of material irregularity in the conduct thereof

(8) Upon receipt of such petition the Deputy Commissioner shall enquire personally or by some other officer deputed by him not below the grade of an Assistant Commissioner into the validity of such objection or objections

(9) When seven days from the date of election have expired or if any such petition as is described in Rule (7) above has been received then upon the conclusion of the enquiry into the validity of such objection or objections the Deputy Commissioner shall report the proceedings, together with his opinion to Government who shall pass such orders as they may thank fit

(10) The election shall be subject to the approval of Government In the event of no election being made within prescribed period or in the event of an election held not being approved by Government or in the event of two candidates securing an equal number of votes, Government may appoint the President or Vice-President, as the case may be, or may order a fresh election

By Order
B NAGAPPA,
Secretary to Government
Local and Legislative Departments

General and Revenue Secretariat | File No | of 192

Serial No

Revision of the Municipal Election Rules

Section 12 (c) of the Mysore Municipal Regulation as recently amended by Regulation IV of 1926, ~~recognises~~ prescribes that assessment to a minimum amount of taxes ~~should~~ to be fixed by Government as will qualify ~~a person~~ to be a candidate and to be entered in the list of voters instead of actual payment of taxes The minimum amount of the tax has been fixed in ~~the~~ the City and Town Municipal Election rules prescribed under Section 11 (c) of the Regulation The matter is one which cannot be incorporated in the rules and a notification fixing the minima under clause (c) of Section 12 of the Regulation is necessary in order that it may have any force The rule prescribed under Section 11 (c) is also ultra vires as rules can be framed only in respect of matters not otherwise provided for in the Regulation itself

2. There are three sets of rules governing elections in Municipalities, viz., City Municipal Election rules, Town Municipal Election rules and Minor Municipal Election rules. The minor Municipal election rules are too complicated for the requirements of the very small towns for which they are intended. Our minor Municipalities are in most cases larger than Major Unions in the Madras Presidency and a separate set of rules will be drafted ~~separately~~ after examining the provision existing for election of members in Unions and after the question of enacting a separate Regulation for minor Municipalities is decided. In the meantime a comparison of the City Election rul

NOTE—Contin Sheet

Serial No

with the Town/Municipal election rules shows that the two sets of rules differ from each other in only a very few respects and that it is desirable to have only one set of rules for both the Town and City Municipal elections A few suggestions were made by Mr M Madhava Rao to the rules and they have all been carefully considered in the new draft rules prepared

3 The existing rules require revision in many respects and some of the rules are mere repetitions of the Regulation and some are ultra vires of the Regulation In this connection, it would be very convenient if the rules are revised so as to accord as nearly as possible with the rules prescribed for election to the Representative Assembly and the Port Board The main changes made in the draft now proposed are the following -

(1) Preparation of the electoral roll in parts for each constituency

(2) Designating territorial divisions as general constituencies and sections of inhabitants, associations and public bodies specially enfranchised as -- special constituencies

(3) ~~Subject to the disqualifications prescribed~~, all voters to be qualified to be candidates -- except Government servants

(4) Preparation of a new list of voters to be compulsory in the year in which the term of the Municipal Council ordinarily expires, the -- revision of the electoral roll in operation being undertaken in other years without resorting to the preparation of a new list of voters

Sheet

... the executive staff for a ...

Serial No

siderable portion of the year is stated to be taken up in preparing a new list of voters in the whole city Municipality representative Assembly much to the detriment of the collection and other legitimate work of th Municipality

(5) Preparation of a separate list of pe on eligible for candidates is dispensed with a such a list is not required under the ne unction

(6) Unnecessar restriction as regards the time or person, to take action for or place in respect of the several stages in the preparation of the electoral roll or in holding elections necessitating references to the Deputy Commissioner or the Government have been dispensed with in accordarce with the suggestions of r Ledhan mo

(7) Provision i nace for an appeal to the e t Commissioner in the case of a town Municipality and to the Gov in the case of a city Municipalit against the inclusion in or the omission from the list of eligible candidates, of the names at of elections.

(8) Where the number of eligible candida es does not exceed the number of seats to be filled by election, no poll need be held

(9) In order to facilitate voting by illiter t persons the system of assigning symbols to c ndi s is adopted

(10) The form of voting paper has been change so as to be identical with that u ed in istrict Board election and epresentative, Assembly Election Rules he voter is required to simly put a oss again the ca didate for whom he wishes to vote instea being required to strike out the na es of the

Sheet

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candidate for whom he does not wish to vote

(11) The provision is made for showing the voting box to be empty to the candidates ~~before voting~~ -- ~~begins~~ and for locking it and sealing the same with the seal of the polling officer ~~before voting begins~~

N B The existing rules provide for the box being securely sealed by the President of the Bl Cl with the Bl seal or in the case of a new Municipality, by the Deputy Commr with the Deputy Commr's seal, - before it is used by the polling officer It is -- better to show to the candidates that the box is an empty at the time polling commences and to have the box ~~sunken~~ covered up and sealed with the seal of the polling officer and of the candidates after the polling is over

4 A draft set of election rules and a draft Notification fixing the minimum amount of taxes payable by candidates are submitted for approval

25
15/12/26
7/1/27

Chief Secy)

25
7/2

Notification

By virtue of the authority vested in them under Secn 12, clause (c) of the Mysore Municipal Regulation, 1902, as amended from time to time, the Government are pleased to fix ~~as follows~~ the minimum amount of taxes, ~~the~~ assessment to which will qualify persons to be candidates and to be entered in the list of voters, ~~as~~, at Rs 5 a year in the case of City Municipalities and Rs 2 a year in the case of Town Municipalities

By Order,

Secy to Govt

To

The Compiler, Mysore Gazette, for publication and supply of 200 copies in English and Kannada to each of the Deputy Commissioners

Memo No.

Copy forwarded, with compliments, to - (1) the Deputy Commissioners, (2) the President, Mysore City M1 C1, and -- (3) M1 Commr Bangalore City, through the President of the M1 C1

No L 6435/Cnl 165-26-2

Notification

CITY MUNICIPAL COUNCIL

In exercise of the powers conferred by Section 11 (c) of the Mysore Municipal Regulation, 1966, and in supersession of the existing rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors and regulating the conduct of elections in the City and Town Municipalities, the following rules are made by the Government -

Definitions

1 In these rules,

(1) "The Deputy Commissioner" means the Deputy Commissioner of the District in which the Municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate, as he is hereby empowered to delegate, any of his powers or duties under these rules

(2) "The Regulation" means the Mysore Municipal Regulation, 1966, as amended from time to time

Divisions and Elective Councillors

2 (1) The Municipal Council may with the previous approval of Govt divide the Municipality for electoral purposes into as many divisions as may be necessary, the boundaries of which shall be clearly defined and when such a division has been made, -- shall apportion the number of elective -- Councillors over the said divisions in the

proportion, as nearly as may be, of the population thereof

(2) The divisions into which the City and Town Municipalities are at present divided -- for electoral purposes and the number of --- elective Councillors at present apportioned over the several divisions therein shall be deemed to have been fixed and apportioned under sub-rule (1)

(3) The Municipal Council, may, with the previous approval of the Govt alter from time to time the number and boundaries of the Divisions and reapportion the number of elective - councillors among the Divisions

List of voters

3. The Municipal Commissioner, or the Chief Officer and in the absence of such an officer, the President of the Municipal Council (who -- ~~shall~~ in these rules ~~to~~ called "the Returning Officer") shall, ~~120 days~~ prior to the date on which the term of office of the Municipal -- Councillors will expire, and on the corresponding date in each subsequent year, prepare a list of voters

(2) If the Municipality has been divided for electoral purposes into divisions, such -- lists shall show the persons entitled to vote in each division separately

4 The list so prepared shall be published by affixing a copy thereof in English and in Kannada or both as the Returning Officer may -- direct ~~and keep the same affixed~~ at the Municipal office and such other conspicuous place or places as the said officer may consider suitable

90

Additional qualifications of voters

5 In addition to the persons declared by - Secn 12 of the Regulation to be qualified to be entered in the list of voters, the following - persons, whether of the male or female sex, shall unless disqualified under Secn 21 of the Regulation on account of age, or disqualified under Secn 22, be qualified to have their names - entered in the list of voters viz ,

(a) Pleaders holding a sunnad from the Chief Court of Mysore

(b) Persons upon whom titles have been conferred by the ~~British~~ Govt or by His Highness the Maharaja of Mysore.- ~~as a personal distinction, and recipients of the decoration of the Kaiser-i-Hind medal~~

(c) Persons whose names are entered in the latest list of Sarkars Publications published under the authority of Govt

(d) Servants of Govt or of any public body or of any corporation or of any company registered under the Mysore Companies Regulation -- whose salary is not less than Rs 50/- per mensem in a City Municipality. ~~and Rs 30/- per mensem in a Town Municipality.~~

(e) Persons in receipt of a pension of not less than Rs 15 per mensem from Govt or from any public body or from corporation or company registered as aforesaid

(f) Officiating hereditary patels and shanbhogs ~~in a Town Municipality~~

(g) Registered holders of lands -- ~~situated,~~ assessed (or in the case of alienated lands, would be assessed if not alienated) to land revenue at an amount not less than Rs 5 in a City Municipality and Rs 2-8-0 in a Town Municipality

(h) Persons who on the 1st day of July next preceding the date ~~fixed for~~ the publication of the Municipal Election roll, occupied a house or -- building, or part of a house or building separately occupied, as a dwelling or for purpose of any trade, or business or profession, which was assessed to a tax of Rs 5 per annum in a City Municipality and Rs 2-8-0 in a Town Munlty.

) Persons assessed in the previous to income-tax.

Who for a - period of n less than six months next - preceding the date on which the list of voters is required by rules to be - prepared or -- revised may been resident in the Municipality

8. Manner of voting in particular cases

6 (1) When any qualification prescribed by clause (a) of Section 12 of the Regulation is possessed by an undivided Family or a company or firm or any other association or body of individuals or the trustees, being two or more in number, of any building or land, then the manager or the senior member of such family, or company or firm any one individual person, duly authorised in this behalf by the members of such family, or company or firm or association or body of individuals or trustees, upon an application in writing which he shall give, within a fortnight from the date of the publication of the list of voters, to the Returning Officer, shall, unless he is disqualified by Section 21 of the Regulation on account of age, be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees.

(2) If no individual person applies in accordance with sub-rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or any trustees, the Council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof.

(3) If any person is entitled ~~not only~~ not only to vote in his individual capacity but also as representative of such family or company or firm or ~~any~~ association or body of individuals or trustees, ~~in~~ his name shall be entered in the said list as if he were ~~entitled~~ entitled to vote separately in each of such capacities

(4) Except in the case ~~of~~ mentioned in sub-rule(3) no person shall be entitled to ~~have his name entered more than once in~~ vote in the said list or to ~~vote~~ more than once at any one election of Councillors to the Municipal Council

by reason of being qualified under two or more of the kinds of qualifications prescribed by Rule 5 or Section 12 of the Bill

7 Division in which vote to be given

7 Each voter shall be entitled to vote in the division in which he resides, or, in the case of a qualification arising from ~~the payment of~~ Municipal taxes, in the ~~same~~ division in which ~~he is entitled to pay the same taxes~~ he is assessed

Provided that

(a) No person shall be entitled to vote in more than one division

(b) any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to chose for which of such divisions he shall be entitled to vote and, failing his doing so within a week after public notice has been given calling upon all such persons to make their choice, shall be entitled to vote in such division as the Municipal ~~Council~~ shall determine

(c) A person shall be entitled to vote only in a ~~ward~~ for which his name is entered in the election roll

In this Clause — Please show for Govt. to provide that Govt. servants in each Div. in which they reside

Please see note on p. 12

Revision of list and Appeals

8 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein, and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein, may apply in writing within a fortnight from the date of publication of the list to the Returning Officer for the amendment thereof.

(2) The Returning Officer shall forthwith forward every such application, with his report thereon, for the decision of the Municipal Council

(3) The Returning officer may also bring to the notice of the Municipal Council within a fortnight from the date of the publication of the list, any additions to, or omissions from, or corrections in the list, which he shall discover to be necessary but otherwise than on the application of any person interested therein.

(4) Notice of every application under sub-rule (1) and of every reference under sub-rule (3) shall be given by the Municipal Council receiving the same to any person affected thereby, and the Municipal Council at its next meeting shall consider and pass orders on such application or reference A copy of every order so passed upon an application shall, without delay, be communicated to the person by whom the application

was made and a copy of every order, w upon an application or reference, shall, without delay, be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Govt in the case of a City Municipality and to the Deputy Commissioner in the case of a Town Municipality from the decision of a Municipal Council, but the Govt or the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council was communicated to the appellant Every order passed by the Govt or the Deputy Commissioner under this rule shall be final

Publication and custody of Election Roll

9 (1) The list of voters shall be amended in accordance with the decision of the Municipal Council, the Deputy Commr or the Govt, as the case may be, and a copy thereof, signed by the Returning Officer shall be the Election Roll

(2) The municipal Election Roll shall be published in the manner prescribed in rule 4 within a month and a half ~~within 45th day~~ from the date of publication of the list of voters

(3) Every such Election Roll shall be entered in a book, each page of which shall be signed by the officer aforesaid and sealed with the common seal of the Municipal Council The said book shall be kept in the municipal chest or safe under lock and key, and the

officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Additional qualifications of candidate

10 (1) In addition to persons declared by Section 12 of the Regulation to be qualified to be candidates and subject to the provisions of Section 13 and to the disqualifications mentioned in Section 15 and subsections(3)and(6)of Section 22 of the Regulation,every person who is qualified to vote and who for a period of not less than six months next preceding the date on which the list of voters is required to be prepared or revised for the Municipality for election purposes has been resident in the Municipality,shall be qualified to be a candidate

(2) Any person whose name is entered in the Election Roll as entitled to vote in one division may (if duly qualified) be a candidate for election either in the division for which his name is so entered or in any other division

Time and place for Elections

11 General Municipal elections shall be held on such dates between such hours and at such places as may be fixed by the Returning Officer Written notice of such election shall be given and published in English or in Kannada or both, as the said officer may direct, not less than fifteen days before the date fixed for the election Copies of the notice ----------

the said divisions.

shall be affixed at the Municipal office and at such other conspicuous place or places within the Municipality as the Municipal Council approints for this purpose

Examination of candidates

12 (1) No person may be a candidate for a councillorship unless he has been nominated in writing for this purpose by two persons entitled to vote in the same division in which the candidate wishes to be elected The nomination paper shall bear an endorsement signed by the nominee -- signifying his willingness to serve and shall be delivered to the Returning Officer for this purpose at least seven days before the date fixed for the election

(2) The said officer shall where any nomination paper is prepared and delivered to him in accordance with sub-rule (1), if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate, enter the nominee's name in a list of candidates, which shall be prepared under his signature and posted at the municipal office and at the place at which the election is to be held and in other conspicuous places, at least five days before the date fixed for the election

(3) When elections are to be held on or about the same time in two or more divisions, one and the same person may be nominated for election in all or any of the said divisions.

36

Conduct of elections

13 When the number of candidates nominated does not exceed the number of vacancies, the nominated candidate or candidates may be declared by the Returning Officer elected without any votes being recorded for the purposes of rule 28 of these rules, and such candidates shall be considered

14 If more candidates than there are vacancies have been validly nominated, votes shall be taken in accordance with the procedure prescribed in the following rules

15 The Returning officer shall appoint one or more Polling Officers to preside at each Polling Station with as many assistants as are in his opinion necessary and the Returning officer shall also appoint one or more identifying officers at each polling station to assist the Polling Officer in identifying the voters

16 (1) On the morning of the election day the Polling Officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers, an Election Roll and a bound book or books of voting papers serially numbered in fold and counterfoil one voting paper for each voter in the Election Roll

(2) The returning officer may give such special directions as may be necessary for the provision of ballot boxes, cubicles or screens, and other matters of detail

17 (1) The voting paper shall be - printed in form A hereto appended and shall contain ~~all the candidates' names~~ the names of all the candidates

(2) The name of any candidate who may have withdrawn his candidature shall be scored out by the Returning Officer or by the Polling Officer under the ~~xxxxxxx~~ Returning Officer's orders

18 Every candidate who, on or before the date of his nomination supplies the Returning Officer at his own expense with a block depicting such symbol as he may, with the ~~prs~~ Sanad returning officer's approval adopt for the guidance of voters shall be entitled to have the same printed in column 3 of the voting paper

19 The voting papers shall be -- posted outside the polling booth for the guidance of voters at least 48 hours before the election commences

20 (1) On the day of the election the Polling Officer shall admit to the ~~xxxxx~~ ante-room of the polling ~~officer~~ room the candidates and such - agents as may be selected by the candidates to assist in the identification of voters, provided that there shall be present at one time in addition to the candidates not more than one agent of each candidate

(2) Besides candidates and their agents only voters, attendants of voters admitted under rule 22 (vi), and such persons (if any) as may be admissible under special

directions given by the Returning Officer in this behalf, shall be admitted to the polling booth

21 The candidates and their agents shall not speak to or address any intending voter in the ante-room, but may only address to the Polling Officer objections to a voter on the following three grounds

First - That his name is not on the list of voters of the division in respect of which the election is being held

Second - that his claim to be a particular voter shown on the list of voters is false

Third - that he has already voted

Any person breaking this rule may be expelled from the ante-room by the Polling Officer and shall not be re-admitted during the election

22 The procedure for recording each voter's vote shall be as follows -

(i) Each voter may vote for as many candidates as there are councillors to be elected for the division

(ii) There shall be no voting by proxy

(iii) As each intending voter enters the ante-room his name and his number in the election roll shall be announced so that all present can hear them

(iv) The Polling Officer shall dispose of any objections raised by candidates and their agents, and, when satisfied that the intending voter is entitled to vote and has not yet voted, shall initial the foil of a voting paper, and, after taking the voter's signature or mark on the counterfoil, and endorsing the paper across the junction of foil and counterfoil with a seal, give the foil to the voter and admit him to the polling room

(v) The voter, after making a cross in column 4 of the voting paper against

names of any candidates for whom he wishes to vote, shall return the paper folded up to the Polling Officer who shall forthwith in the voter's presence place it in the sealed box and pass the voter out of the polling room

(vi) On the request of a voter who through blindness or any other cause is physically incapable of recording his vote for himself, the Polling Officer shall permit an attendant to take the voter into the polling booth and record his vote for him

3 It shall be the duty of the Polling Officer and their assistants to see that votes are recorded with absolute secrecy, that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes, or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

24 On the conclusion of the poll the Polling Officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the ~~returning~~ Head officer to take charge of it till the votes are counted The Polling Officer shall seal up the book

of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed - under rule 31

Determination of results of elections

25 The ballot box shall be opened and the votes counted at a special general meeting of the Municipal Council by three scrutineers appointed for this purpose at the meeting

26 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

27 If there is an equal number of valid votes in favour of each of two or more candidates for - one vacancy, the selection of one such candidate shall be made by lot by the chairman of the afore -said meeting, in such manner as the Municipal Cl at such meeting shall determine

28 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in that case the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division, a fresh election shall be held for the same.

29. The result of the election shall be declared by the chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting

Custody and destruction of voting papers

30 When the voting papers have been scrutinized they shall forthwith be replaced in the ballot - boxes from which they were taken and these boxes, after being locked and sealed with the Municipal seal, shall be kept by the Municipality in safe custody

31 On the expiry of fifteen days from the date of the declaration of the result of the election, or if any application -- regarding the election is made to the -- District Judge under section 22 of the Regu and such application is not finally disposed of before the expiry of the said fifteen -- days, then whenever such application has been finally disposed of, the voting papers including both those in the ballot box and those in the sealed book in the Polling -- Officer's custody shall be destroyed in the presence of such councillor or officer as the Municipal council appoints for this -- purpose

Report of results of elections

32 The result of every election declared under rules 12 and 29 shall be communicated with the least practicable delay to the Govt. direct in the case of a city municipality, and through the Deputy Commr in case of a town municipality, for being -- notified in the Fweore Gazette

The rules after more declarations to be made

casual vacancies

33 On a vacancy occurring in the Municipal council between two general elections the Returning officer shall fix a date as soon as conveniently may be for the holding of the election to fill the vacancy The above rules shall apply, with such modifications as may be necessary, to such casual bye-elections

FORM 4

(referred to in rule 17)

Counterfoil

Voting paper No

Voter's No on Election Roll

Foil

Voting paper No

Sl No	Candidate's name	Candidate's symbol	Vote 's mar
1			
2			
3			
4			
5			
6			
7			
8			

Signature or thumb impression

(1) The number of members to be elected is

(2) Place a cross mark thus X against the candidate for whom you wish to vote

(3) The mark should be placed against ~~not more than~~ name names

By Order,

Chief Secy to Govt

16/2/27

The Compiler, M Gre Gazette, for publication and s y copies

CITY AND TOWN MUNICIPAL ELECTION RULES

No L 6435—*Ml* 165 26 2 *dated* 15*th March* 1927

In exercise of the powers conferred by Section 11 (*c*) of the Mysore Municipal Regulation 1906 and in supersession of the existing rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors and regulating the conduct of elections in City and Town Municipalities the following rules are made by the Government —

Definitions

1 In these rules

(1) The Deputy Commissioner means the Deputy Commissioner of the District in which the Municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate as he is hereby empowered to delegate any of his powers or duties under these rules

(2) The Regulation means the Mysore Municipal Regulation 1906 as amended from time to time

Divisions and elective Councillors

2 (1) The Municipal Council may with the previous approval of Government divide the Municipality for electoral purposes into as many Divisions as may be necessary the boundaries of which shall be clearly defined and when such a division has been made shall apportion the number of elective Councillors over the said divisions in the proportion as nearly as may be of the population thereof

(2) The divisions into which the City and Town Municipalities are at present divided for electoral purposes and the number of elective Councillors at present apportioned over the several divisions therein shall be deemed to have been fixed and apportioned under sub rule (1)

(3) The Municipal Council may with the previous approval of the Government alter from time to time the number and boundaries of the Divisions and re apportion the number of elective Councillors among the Divisions

List of voters

3 The Municipal Commissioner or the Chief Officer and in the absence of such an officer the President of the Municipal Council (who is in these rules called the Returning Officer) shall not less than four months prior to the date on which the term of office of the Municipal Councillors will expire and on the corresponding date in each subsequent year prepare a list of voters

(2) If the Municipality has been divided for electoral purposes into divisions such lists shall show the persons entitled to vote in each division separately

4 The list so prepared shall be published by affixing a copy thereof in English and in Kannada or both as the Returning Officer may direct at the Municipal Office and such other conspicuous place or places in the Municipality as the said officer may consider suitable

Additional qualifications of voters

5 In addition to the persons declared by Section 12 of the Regulation to be qualified to be entered in the list of voters the following persons whether of the male or female sex shall unless disqualified under Section 21 of the Regulation on account of age or disqualified under Section 22 be qualified to have their names entered in the list of voters *viz* —

(*a*) Pleaders holding sannads from the Chief Court of Mysore
(*b*) Persons upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore
(*c*) Servants of Government or of any public body or of any corporation or of any company registered under the Mysore Companies Regulation whose salary is not less than Rs 50 per mensem in a City Municipality
(*d*) Persons in receipt of a pension of not less than Rs 15 per mensem from Government or from any public body or corporation or company registered as aforesaid
(*e*) Officiating hereditary patels and shanbhogs in a Town Municipality
(*f*) Registered holders of lands assessed (or in the case of alienated land would be assessed if not alienated) to land revenue at an amount not less than Rs 5 in a City Municipality and Rs 2 8 0 in a Town Municipality
(*g*) Person assessed in the previous year to income tax
(*h*) Persons who on the 1st day of July next preceding the date of publication of the Municipal Election Roll occupied a house or building or part of a house or building separately occupied as a dwelling or for purpose of any trade business or profession which was assessed to a tax of Rs 5 per annum in a City Municipality and Rs 2 0 0 in a Town Municipality

Who for a period of not less than six months next preceding the date on which the list of voters is required by the rules to be prepared or revised have been resident in the Municipality

Manner of voting in particular cases

6 (1) When any qualification prescribed by clause (*c*) of Section 12 of the Regulation is possessed by an undivided family or a company or firm or any other association or body of individuals or the trustees being two or more in number of any building or land then the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which he shall give within a fortnight from the date of the publication of the list of voters to the Returning Officer shall unless he is disqualified by Section 4 of the Regulation on account of age be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustee

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or any trustees the Municipal Council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustee and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in the said list as if he were entitled to vote separately in each of such capacities

(4) Except in the case mentioned in sub rule (3) no person shall be entitled to more than one vote by reason of being qualified under two or more of the tests of qualifications prescribed by Rule 5 or Section 12 of the Regulation

Division in which vote to be given

7 Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from being assessed to Municipal taxes in the division in which he is assessed

Provided that

(*a*) No person shall be entitled to vote in more than one division

(*b*) Any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such division as the Municipal Council shall determine

(c) A person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

8 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The Returning Officer shall forthwith forward every such application with his report thereon for the decision of the Municipal Council

(3) The said officer may also bring to the notice of the Municipal Council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein

(4) Notice of every application under sub rule (1) and of every reference under subrule (3) shall be given by the Municipal Council receiving the same to any person affected thereby and the Municipal Council at its next meeting shall consider and pass orders on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Government in the case of a City Municipality and to the Deputy Commissioner in the case of a Town Municipality from the decision of a Municipal Council but the Government or the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant Every order passed by the Government or the Deputy Commissioner under this rule shall be final

Publication and custody of election roll

9 (1) The list of voters shall be amended in accordance with the decision of the Municipal Council the Deputy Commissioner or the Government as the case may be and a copy thereof signed by the Returning Officer shall be the Municipal Election Roll

(2) The Municipal Election Roll shall be published in the manner prescribed in rule 4 within a month and a half from the date of publication of the list of voters

(3 Every such Election Roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the Municipal Council The said book shall be kept in the Municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Additional qualifications of candidates

10 (1) In addition to persons declared by Section 12 of the Regulation to be qualified to be candidate and subject to the provisions of Section 13 and to the disqualifications mentioned in Section 15 and sub sections (3) and (6) of Section 22 of the Regulation every person who is qualified to vote and who for a period of not less than six months next preceding the date on which the list of voters is required to be prepared or revised in the Municipality for election purposes has been resident in the Municipality shall be qualified to be a candidate

(2) Any person whose name is entered in the Election Roll as entitled to vote in one division may (if duly qualified) be a candidate for election either in the division for which his name is so entered or in any other division

Time and place for elections

11 General Municipal Elections shall be held on such date between such hours and at such place or places as may be fixed by the Returning Officer Written notice of such election shall be given and published in English or in Kannada or both as the said officer may direct not less than fifteen days before the date fixed for the election Copies of the notice shall be affixed at the Municipal Office and at such other conspicuous place or places within the Municipality as the Municipal Council appoints for this purpose

Nomination of candidates

12 (1) No person may be a candidate for a councillorship unless he has been nominated in writing for this purpose by two persons entitled to vote in the same division in which the candidate wishes to be elected The nomination paper shall bear an endorsement signed by the nominee signifying his willingness to serve and shall be delivered to the Returning Officer at least seven days before the date fixed for the election

(2) The said officer shall where any nomination paper is prepared and delivered to him in accordance with sub rule (1) if the nominators establish to his satisfaction that they are entitled to vote at theelection and that the nominee is qualified as a candidate enter the nominee's name in a list of candidates which shall be prepared under his signature and posted at the Municipal Office and at the place at which the election is to be

held and in other conspicuous places at least five days before the date fixed for the election

(3) When elections are to be held at or about the same time in two or more divisions one and the same person may be nominated for election in all or any number of the said divisions.

Conduct of Elections

13 When the number of candidates nominated does not exceed the number of vacancies the nominated candidate or candidates may be declared by the Returning Officer elected without any votes being recorded For purposes of Rule 28 of these rules such candidates shall be considered to have got the highest number of votes

14 If more candidates than there are vacancies have been validly nominated votes shall be taken in accordance with the procedure prescribed in the following rules —

15 The Returning Officer shall appoint one or more Polling officers to preside at each polling station with as many assistants as he thinks necessary The said officer shall also appoint one or more identifying officers at each polling station to assist the Polling officer in identifying the voters

16 (1) On the morning of the election day the Polling Officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers an Election Roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the Election Roll

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

17 (1) The voting paper shall be printed in Form A hereto appended and shall contain the names of all the candidates

(2) The name of any candidate who may have withdrawn his candidature shall be scored out by the Returning Officer or by the Polling Officer under the Returning Officer's orders

18 Every candidate who on or before the date of his nomination supplies the Returning Officer at his own expense with a block depicting such symbol as he may with the said officer's approval adopt for the guidance of voters shall be entitled to have the same printed in column 3 of the voting paper

19 Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences

20 (1) On the day of the election the Polling Officer shall admit to the ante room of the polling booth the candidates and such agents as may be selected by the candidates to assist in the identification of voters provided that there shall be present at one time in addition to the candidates not more than one agent of each candidate

(2) Besides candidates and their agents only voters attendants of voters admitted under rule 22 (vi) and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth

21 The candidates and their agents shall not speak to or address any intending voter in the ante room but may only address to the Polling Officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second —That his claim to be a particular voter shown on the list of voters is false

Third —That he has already voted

Any person breaking this rule may be expelled from the ante room by the Polling Officer and shall not be re admitted during the election

22 The procedure for recording each voter's vote shall be as follows —

(i) Every voter may vote for as many candidates as there are councillors to be elected for the Division

(ii) There shall be no voting by proxy

(iii) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them

(iv) The Polling Officer shall dispose of any objections raised by candidates and their agents and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote shall return the paper folded up to the Polling Officer who shall forthwith in the voter's presence place it in the sealed box and pass the voter out of the polling room

(vi) On the request of a voter who through blindness or any other cause is physically incapable of recording his vote for himself the Polling Officer shall permit an attendant to take the voter into the polling booth and record his vote for him

23 It shall be the duty of the Polling Officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who

have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

24 On the conclusion of the poll the Polling Officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it till the votes are counted The Polling Officer shall seal up the book of counterfoil and unused foils and keep it sealed in his own custody till it is destroyed under rule 3

Determination of Results of Elections

25 The ballot box shall be opened and the votes counted at a special general meeting of the Municipal Council by three scrutineers appointed for this purpose at the meeting

26 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

27 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the Chairman of the aforesaid meeting in such manner as the Municipal Council at such meeting shall determine

28 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election Government in the case of City Municipalities and the Deputy Commissioner in the case of Town Municipalities shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the same

29 The result of the election shall be declared by the Chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting

Custody and Destruction of Voting Papers

30 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the Municipal seal shall be kept by the Municipal Council in safe custody

31 On the expiry of fifteen days from the date of the declaration of the result of the election or if any application

regarding the election is made to the District Judge under Section 22 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the Polling Officer's custody shall be dealt with in the presence of such councillor or other person as the Municipal Council appoints for this purpose

Report of results of elections

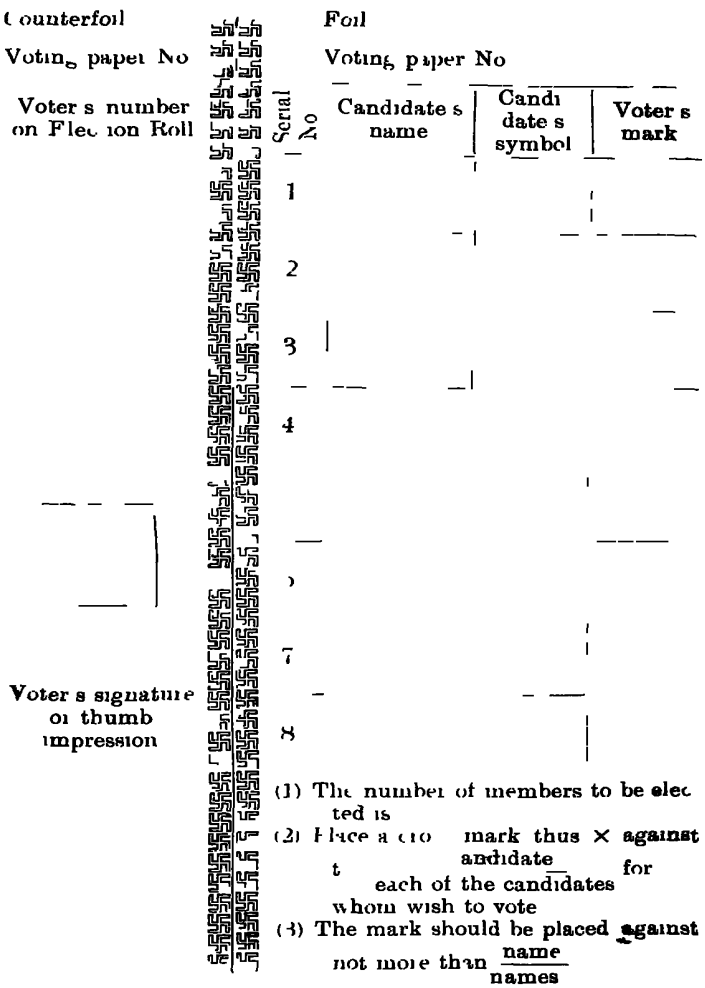
42 The name of person declared to have been elected under Rules 38 and 39 shall be communicated with the least practicable delay by the Commissioner to the Secretary to the Municipality and through the Deputy Commissioner in the case of a Town Municipality for publication in the *Mysore Gazette*

Casual Vacancies

43 On a vacancy occurring in the Municipal Council between two general elections the Returning Officer shall fix a date as soon as conveniently may be for the holding of the election to fill the vacancy Subject to rule shall apply with such modification as may be necessary to such election

FORM A

(REFERRED TO IN RULE 17)



(1) The number of members to be elected is

(2) Place a cross mark thus × against the candidate for each of the candidates whom wish to vote

(3) The mark should be placed against not more than $\frac{\text{name}}{\text{names}}$